

**MOORE COUNTY PLANNING BOARD**  
**THURSDAY, October 4, 2018, 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> Floor**

**CALL TO ORDER – 6 PM**

**INVOCATION – (Member Volunteer)**

**PLEDGE OF ALLEGIENCE – (Member Volunteer)**

**MISSION STATEMENT – (Member Volunteer)**

**I. PUBLIC COMMENT PERIOD (*Procedures are attached*)**  
**Please sign up on the Public Comment Sign In sheet near the door**

**II. APPROVAL OF CONSENT AGENDA**

All items listed below are considered routine and will be enacted by one motion. No separate discussion will be held except by a member of the Planning Board:

- A. Approval of Meeting Agenda
- B. Approval of Minutes of September 6, 2018
- C. Consideration of Abstentions

**III. PUBLIC HEARINGS**

**1. General Use Rezoning Request Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40) – Theresa Thompson**

Tammy Allred Forest is requesting a General Use Rezoning from Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40) of an approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, owned by Tammy Allred per Deed Book 2015E, Page 629.

**2. Special Non-residential Intensity Allocation (SNIA) Request (“STARS Charter School” – 140 Southern Dunes Drive) –**

Neighborhood Youth Leadership is seeking a Special Non-Residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 49.17% on a property located at 140 Southern Dunes, Vass, NC, owned by Neighborhood Youth Leadership, to construct Phase 2 of the expansion of STARS Charter School.

**3. Unified Development Ordinance Text Amendments – Theresa Thompson**

**IV. OTHER**

- 1. Skill-Based Gaming Establishments Options

**V. PLANNING DEPARTMENT REPORTS - Debra Enslinger**

- 1. The Village of Pinehurst request for Extension of Extraterritorial Jurisdiction expansion.

**VI. BOARD COMMENT PERIOD - Chairman Nobles**

**VII. UPCOMING EVENTS**

- Tuesday, October 16, 2018 5:30 PM Board of Commissioners Meeting to be held at the Historic Courthouse in Carthage
- **Thursday, November 1, 2018 6:00 PM Planning Board Meeting to be held at the Historic Courthouse in Carthage**

## **VIII ADJOURNMENT**

*Special accommodations for individuals with disabilities or impairments will be made upon request to the extent that reasonable notice is **give** to the County.*

*Please see attached procedures for the Public Comment Period and public comment during Public Hearing*

## **PUBLIC COMMENT PROCEDURES MOORE COUNTY PLANNING BOARD**

*The Moore County Planning Board is committed to allowing members of the public an opportunity to offer comments and suggestions for the efficient and effective administration of government. In addition to public hearings, a special time is set aside for the purpose of receiving such comments and suggestions. All comments and suggestions addressed to the Board during the Public Comment Period shall be subject to the following procedures:*

- 1. The Public Comment period will be held at the beginning of the Board meeting. The comment period will be limited to a maximum of thirty minutes*
- 2. Persons who wish to address the Board during the Public Comment Period will register on a sign-up sheet available on the table outside the entrance door to the Meeting Room indicating contact information and topic. Sign-up sheets will be available beginning 30 minutes before the start of the meeting. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 3. Each person signed up to speak will have three (3) minutes to make his/her remarks. Each person signed up to speak will only be entitled to the time allotted to each speaker and one additional time period which may be yielded to him/her by another individual who has also signed up to speak on a particular topic.*
- 4. Speakers will be acknowledged by the Board Chairperson in the order in which their names appear on the sign up sheet. Speakers will address the Board from the lectern at the front of the room and begin their remarks by stating their name and address.*
- 5. Public comment is not intended to require the Board to answer any impromptu questions. Speakers will address all comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed.*
- 6. Speakers will be courteous in their language and presentation. Matters or comments which are harmful, discriminatory or embarrassing to any citizens, official or employee of Moore County shall not be allowed. Speaker must be respectful and courteous in their remarks and must refrain from personal attacks and the use of profanity.*
- 7. Only one speaker will be acknowledged at a time. If the time period runs out before all persons who have signed up get to speak, those names will be carried over to the next Public Comment Period.*
- 8. Any applause will be held until the end of the Public Comment Period.*
- 9. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Chairperson.*
- 10. Information sheets outlining the process for the public's participation in Board meetings will also be available in the rear of the Meeting Room.*
- 11. Action on items brought up during the Public Comment Period will be at the discretion of the Board.*

*Adopted on the 4<sup>th</sup> day of February, 2010 by a 8 to 1 vote of the Moore County Planning Board.*

## **MOORE COUNTY PLANNING BOARD PUBLIC HEARINGS PROCEDURES**

*The Moore County Planning Board serves the public as well as the Board of Commissioners. During each public hearing a special time has been set aside for the purpose of receiving comments and suggestions. To insure that comments and suggestions are productive and not unnecessarily long, procedural rules for conducting public hearings are necessary. The following procedural rules will be utilized during public hearings of the Moore County Planning Board:*

- 1. Anyone who would like to address the Board during a public hearing should register on the appropriate sign-up sheet indicating their name and address. Sign-up sheets will be available on the table outside the entrance door to the Meeting Room 30 minutes before the start of the meeting. Information sheets outlining the process for the public's participation in Board meetings and public hearings will also be available. No one will be allowed to have his/her name placed on the list by telephone request to County Staff.*
- 2. Each speaker will be called by the Chairman to the lectern, will state their name and address clearly into the record before providing their comments.*
- 3. Speakers will address all comments to the Board as a whole and not to any one individual member. Speakers will be respectful, courteous, refrain from personal attacks and the use of profanity.*
- 4. Any applause will be held until the end of the public hearing.*
- 5. Speakers who have prepared written remarks or supporting documents are encouraged to leave a copy of such remarks and documents with the Secretary.*
- 6. Action on items brought up during the public hearing will be at the discretion of the Board.*

*Adopted on the 5<sup>th</sup> day of May, 2011 by a 9 to 0 vote of the Moore County Planning Board*

**MINUTES**  
**MOORE COUNTY PLANNING BOARD**  
**THURSDAY, SEPTEMBER 6, 2018 6:00 PM**  
**MOORE COUNTY HISTORIC COURTHOUSE – 2<sup>nd</sup> FLOOR**

**Board Members Present:** Eddie Nobles (Chair), Joe Garrison (Vice Chair), Harry Huberth, David Lambert, John Matthews, Bobby Hyman, John Cook, Matthew Bradley

**Board Members Absent:** Jeffrey Gilbert

**Staff Present:** Debra Ensminger, Planning Director  
Tron Ross, County Attorney  
Theresa Thompson, Senior Planner  
Stephanie Cormack, Administrative Officer

**CALL TO ORDER**

Meeting was delayed due to meeting location over capacity. Chair Eddie Nobles called the meeting to order at 6:45 pm.

**INVOCATION**

Board Member Joe Garrison offered the invocation.

**PLEDGE OF ALLEGIANCE**

Board Member Harry Huberth led in citing of the Pledge of Allegiance.

**MISSION STATEMENT**

Board Member Matthew Bradley read the Moore County Mission Statement.

**PUBLIC COMMENT PERIOD**

There was no public comment.

**APPROVAL OF THE CONSENT AGENDA**

- A. Approval of Meeting Agenda
- B. Approval of Minutes of August 2, 2018
- C. Consideration of Abstentions

Board Member Harry Huberth requested a correction to the minutes on page 4 noting Bobby Hymans name was misspelt and should be corrected. Board Member Joe Garrison

made a motion to approve the consent agenda as corrected. The motion was seconded by Board Member John Matthews and the motion passed unanimously (8-0).

Board Member Joe Garrison made a motion to amend the Public Hearing procedures for this meeting to allow a total of three (3) minutes for each person to make his/her remarks and one (1) additional time period which may be yielded to him/her by another individual who was also signed up to speak on the Pinehurst ETJ matter. This motion was seconded by Board Member David Lambert and the motion passed unanimously (8-0).

## **PUBLIC HEARING**

### **Public Hearing #1 – Request for Extension of Extraterritorial Jurisdiction**

Planning Director Debra Ensminger presented to the Board a request from the Village of Pinehurst to extend the extraterritorial jurisdiction (ETJ). Ms. Ensminger provided clarification to the Board the request is only to expand Pinehurst's ETJ and not an annexation request. If approved, landowners will not be taxed as Pinehurst since this is not an annexation request. If approved, the Village of Pinehurst will only be providing building, zoning, subdivision and permit services; currently these services are being provided by the County. Ms. Ensminger provided the case background as presented in the staff report. Ms. Ensminger explained to the Board a modification to the map was needed reducing the total number of parcels to 692 because of an oversight in the Pinewild area due to 1991 Session Law House Bill 1417 excluding 29 lots adjacent to Pinewild: map attached as "Exhibit A".

The Village of Pinehurst Manager Jeff Sanborn was introduced by Ms. Ensminger and presented a PowerPoint presentation regarding the ETJ request: attached as "Exhibit B".

The PowerPoint provided the board information on the following topics:

- ETJ: What it is and what it is NOT
- ETJ Expansion Area Requested
- Why is Pinehurst Requesting Extension of its ETJ?
- Current Moore County ETJ Construct
- Why Existing Property Owners Should be in Favor
- Potential Property Owner Concerns
- Current Moore County Zoning
- Why Should Moore County Approve
- Conclusions

During Mr. Sanborn's presentation the following Board members asked the following questions.

Board Member Garrison asked for further clarification on a map where Pinehurst R-210 zoning would be allowed applying to chickens and livestock.

Mr. Sanborn asked if Mr. Garrison could hold off on questions as he will get to that section of the presentation.

Board Chair Nobles asked Mr. Sanborn what his definition of “Grandfathered was?”

Mr. Sanborn said it generally means you could continue that use indefinitely unless there was some kind of replacement action.

Board Member Garrison clarified “Grandfathered” if the landowner did nothing to the existing structure or property and have no changes. However, if a landowner wanted to expand or build a new building on their property then it would have to be built conforming to Pinehurst standards.

Mr. Sanborn concurred with Mr. Garrison, Pinehurst would like to have dialog with the affected property owners and have the opportunity to address these types of concerns.

Mr. Garrison asked how dialog would be had and what recourse would the property owners have as Mr. Garrison’s concern is you could say it now but then not do it.

Mr. Sanborn said there was no hurry to make a rushed decision and feels it is important to get this right.

Board Member Garrison mentioned that in Mr. Sanborn’s presentation he mentioned Pinehurst is not interested in annexation however on the second to last page of the PowerPoint slide as to why should Moore County approve this request states “Creates an environment where developers are more likely to petition for annexation.”

Mr. Sanborn explained this is not about annexation but dealing with growth that is going to happen. This type of growth results in urban level development that is most appropriately addressed by municipal services that can only be provided by annexation.

Board Member Bradley clarified pursuant of State Statute as it presently stands there is no way involuntary annexation can occur.

Mr. Sanborn concurred.

Mr. Bradley wanted to make sure no referendum or majority vote could occur.

Mr. Sanborn explained that would not be considered involuntary and an annexation can only occur at the consent of the property owner, a referendum is a general will and consent.

Chair Nobles asked if Taylortown had been consulted as this request would encompass their area and would not allow Taylortown future ETJ expansion.

Mr. Sanborn mentioned there have been discussions with Taylortown and felt they understood the request, they were neither for nor against the request.

Board Member Garrison was concerned this request would cut Taylortown off from expansion.

Mr. Sanborn explained when Taylortown was incorporated by a way of State Statute they are not allowed to have an ETJ.

Board Member Matthews would like explanation how law enforcement jurisdiction would be affected by this request.

Mr. Sanborn explained there would be no change if approved. Pinehurst law-enforcement current limits is one (1) mile beyond their area.

Chair Nobles inquired how fire and rescue services would be affected.

Mr. Sanborn explained these services would be unchanged.

Board Member Lambert asked for Mr. Sanborn to clarify how Pinehurst came to the conclusion about property taxes and values.

Mr. Sanborn explained by avoiding incompatible development, types of development to an area and appearance brings a higher quality of life therefore will increase the value of property.

Board Member Lambert asked if there had been any dialog between Pinehurst and Moore County regarding concerns about development. Mr. Lambert feels if Pinehurst and Moore County work together Moore County could address any concerns Pinehurst may have regarding development if they both worked together.

Mr. Sanborn feels growth results in urban development and Moore County is not equipped the way the municipal level services could provide services. Mr. Sanborn is also concerned as leadership changes over the years to come it would not be inefficient to reinvent the wheel every time.

Board Member Lambert asked if Pinehurst had looked into the potential expansion of appointing ETJ members participation to some of their boards for example the Planning Board.

Mr. Sanborn mentioned not at the council level but at the staff level yes.

Board Member Cook mentioned there are many farms in this area that could be affected and with their property values going up their taxes would go up and doesn't really see the benefit to the property owner.



Mr. Sanborn agreed this is a complicated situation and growth is going to happen and feels Pinehurst should manage growth to minimize impacts on current and future property owners.

Board Member Garrison is concerned about Mr. Sanborn's statement and feels Moore County has a great staff that is doing a fine job and doesn't see the problem as Pinehurst residents are not being affected.

Mr. Sanborn mentioned Pinehurst is looking at future growth and not present growth. Mr. Sanborn feels Moore County is a very valuable partner and does a great job everyday however, Pinehurst has the proximity and a more in depth knowledge of what is going on in the area.

Board Member Huberth clarified if a property falls under Bona Fide Farm status there would be some kind of protection when it comes to tax value.

Board Member Cook mentioned it would still go up based on the economy of. Also, if you purchased property adjacent you would still have to pay full taxes on that property for at least 2 to 3 years before you would fall under Bona Fide Farm status.

Board Member Huberth reiterated it still would be beneficial for a property to become a Bona Fide Farm under the current property values.

Board Member Cook expressed the expansion request is quite large and would like to know why Pinehurst wanted to expand their ETJ of this magnitude.

Mr. Sanborn mentioned staff and council have looked at the areas surrounding Pinehurst for growth and felt this area could provide the most negative impact on the Village of Pinehurst.

Board Member Garrison mentioned the map provided indicated a red dotted line currently not in the expansion request and could potentially in the future be an expansion request by Pinehurst depending on future council members.

Mr. Sanborn concurred that is a possibility in the future.

Board Member Garrison wondered why Pinehurst didn't ask to expand the entire area up to the red dotted line and wondered if they were more concerned about the type of growth commercial/industrial vs. residential.

Mr. Sanborn mentioned residential growth is the biggest financial impact in the area and not commercial/industrial. Pinehurst's request was about striking a balance with the greater possibility of the request being approved.

Board Member Cook commented to Mr. Sanborn if Pinehurst feels they could do a better job than the County then Pinehurst really needs to look at additional staff.

Mr. Sanborn feels they have the needed staff.

Board Member Matthews mentioned there are large parcels in this request and is concerned how it would affect hunting and target shooting.

Mr. Sanborn mentioned there are no limitations as the only limitation are within the Municipal Code which covers Municipal boundaries. Mr. Sanborn added mobile homes within this area would be grandfathered with this request.

Board Member Nobles asked if new mobile homes would be allowed in the area.

Mr. Sanborn was not able to answer the question.

Board Member Lambert mentioned there are State Statutes that regulate mobile homes and areas cannot place limitations on mobile homes.

Board Member Huberth would like further clarification regarding the area between Foxfire and Pinewild not being included in this request.

Mr. Sanborn mentioned a local bill was put in place and the Village cannot expand their ETJ encompassing these properties due to a State Statute the Village is hoping to resolve this issue with the property owner in the future.

Board Member Huberth confirmed with Ms. Ensminger these properties would continue to fall under Moore County's zoning jurisdiction.

Mr. Sanborn indicated if in the future Pinehurst would be able to assume these parcels within their ETJ then Pinehurst would have to bring the request back thru the County process for review.

Board Member Lambert inquired about the transition process if the request to expand the ETJ was approved by the County.

Mr. Sanborn mentioned there was a transition time frame within the State Statutes that would allow Pinehurst enough time to ensure the zoning for each parcel is correct.

With no further questions Board Chair Nobles opened the public hearing.

The following people spoke on behalf of the Public Hearing ETJ request.

- Jane Hogeman - 18 Lochdon Ct. spoke in support of the request
- Amy Dahl - 151 Roberts Loop spoke against the request
- Pastor Todd Curry - St. Peters Church in Eastwood spoke against the request
- David Plowman - 484 Pine Hill Rd. spoke against the request
- Lynn Young - Eastwood area spoke against the request
- Diane Anello - Lochdon Ct. in Pinewild spoke in support of the request

- Sue Colmer - 34 Pomeroy Dr. spoke in support of the request
- Connie Barber - West End just off Murdocksville Rd. spoke against the request
- Jon Giles - 6667 NC Hwy 211 spoke against the request
- Karen Robinson - Home in Pinewild and West End spoke against the request
- James Black - 568 Pine Hill Rd. spoke against the request
- Harry & Jennie Graham - 7927 Hwy 211 spoke against the request
- Donald Jackson - 2236 Murdocksville Rd. spoke against the request
- Faye Horne - 189 Esther Rd. spoke against the request
- L. Dale Garges - 6173 NC 211 spoke against the request
- Rod Brower - 151 Hawthorne Trail spoke against the request
- Ruth Stolting - 645 Oldham Rd. spoke against the request
- Sherry Locklear - 7028 Beulah Hill Church Rd. spoke against the request
- Colin McKenzie - no address given spoke against the request
- Peter Levine - 5860 Beulah Hill Church Rd. spoke against the request
- Jennifer Jordan - 355 Hardee Branch Rd. spoke against the request
- Nathaniel Jackson - 170 Nathaniel Lane spoke against the request
- Paul Shamblin - 3005 Murdocksville Rd. spoke against the request
- Scott Bullard - 169 Standish Lane spoke against the request
- David Cockman - 7196 Beulah Hill Church Rd. spoke against the request
- Rolo Tran Lassiter - 310 Tram Rd. spoke against the request
- Jacob Southerland - 751 Juniper Lake Rd. spoke against the request

With no further questions Board Chair Nobles closed the public comment period.

Board Member Garrison thanked Pinehurst for their presentation. Mr. Garrison felt he did not hear a why or a reason for the growth and feels Moore County planning staff does a great job at what they do. Mr. Garrison feels Pinehurst will be fine and doesn't see why this would benefit people.

With no further discussion Board Member Joe Garrison made a motion to recommend denial to the Moore County Board of Commissioners of the request for expansion of extraterritorial jurisdiction by the Village of Pinehurst. The motion was seconded by Board Member John Cook; the motion passed unanimously 8-0.

Due to video technicalities the remaining items listed on the agenda were not recorded.

## **PLANNING DEPARTMENT REPORTS**

There were no Planning Department reports.

## **BOARD COMMENT PERIOD**

There was no Board comment period

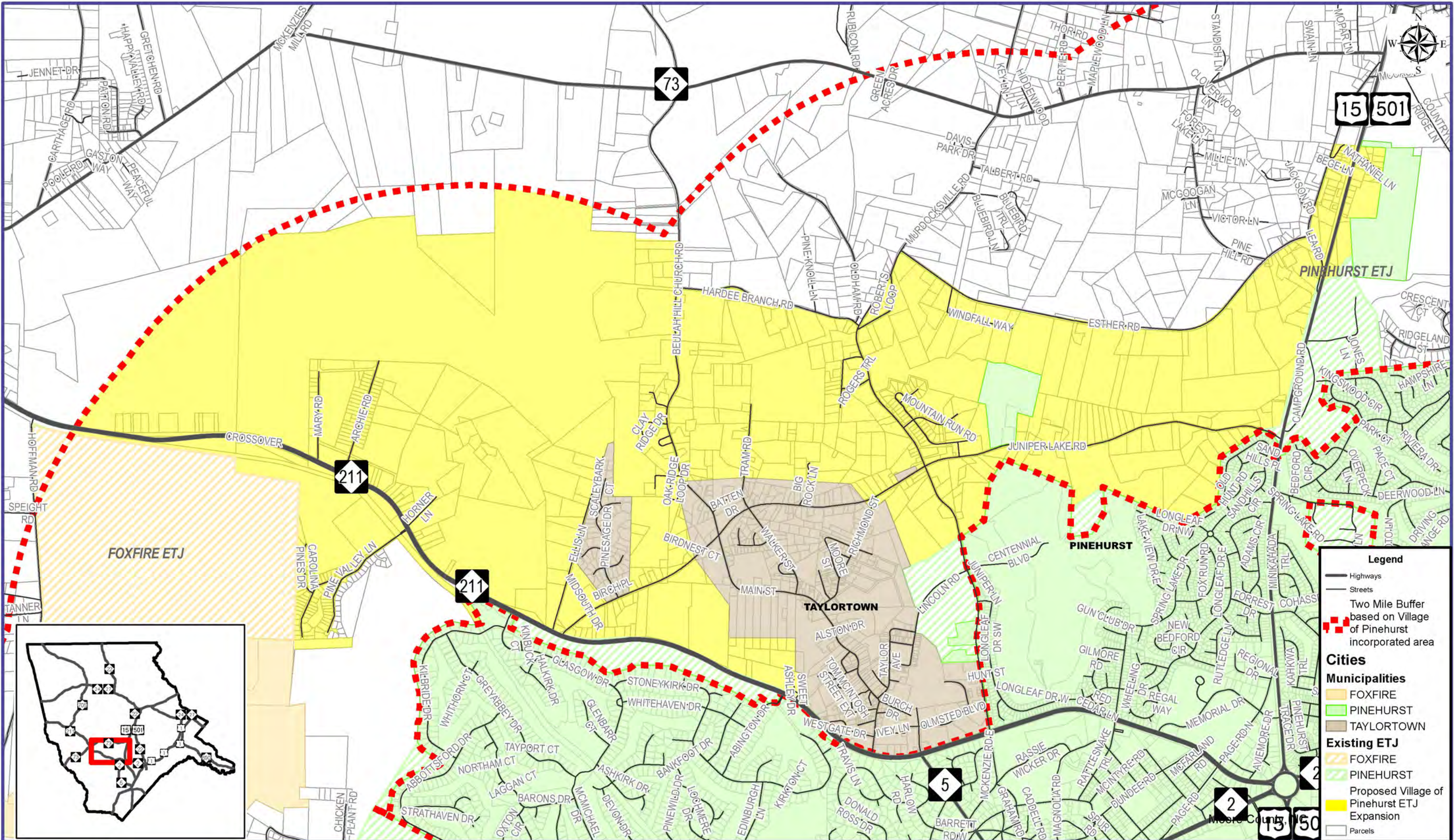
## **ADJOURNMENT**

Board Member John Cook made a motion to adjourn the September 6, 2018 regular meeting. The motion was seconded by Board Member David Lambert and the motion passed unanimously 8-0.

Respectfully submitted by,

Stephanie Cormack





# Proposed Village of Pinehurst ETJ Expansion

Moore County GIS Disclaimer  
All the information contained on this media is prepared for the inventory of real property found within Moore County. All data is compiled from recorded deeds, plats, and other public records and data users of this data are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information. All information contained herein was created for the County's internal use. MOORE COUNTY, ITS OFFICIALS, AGENTS AND EMPLOYEES MAKE NO WARRANTY AS TO THE CORRECTNESS OR ACCURACY OF THE INFORMATION SET FORTH ON THIS MEDIA WHETHER EXPRESS OR IMPLIED, IN FACT OR IN LAW, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR USE. Any resale of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).  
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Extraterritorial (ETJ) Expansion Request –  
Presentation to Moore County Planning Board  
September 6, 2018

# ETJ: What it is and what it is NOT



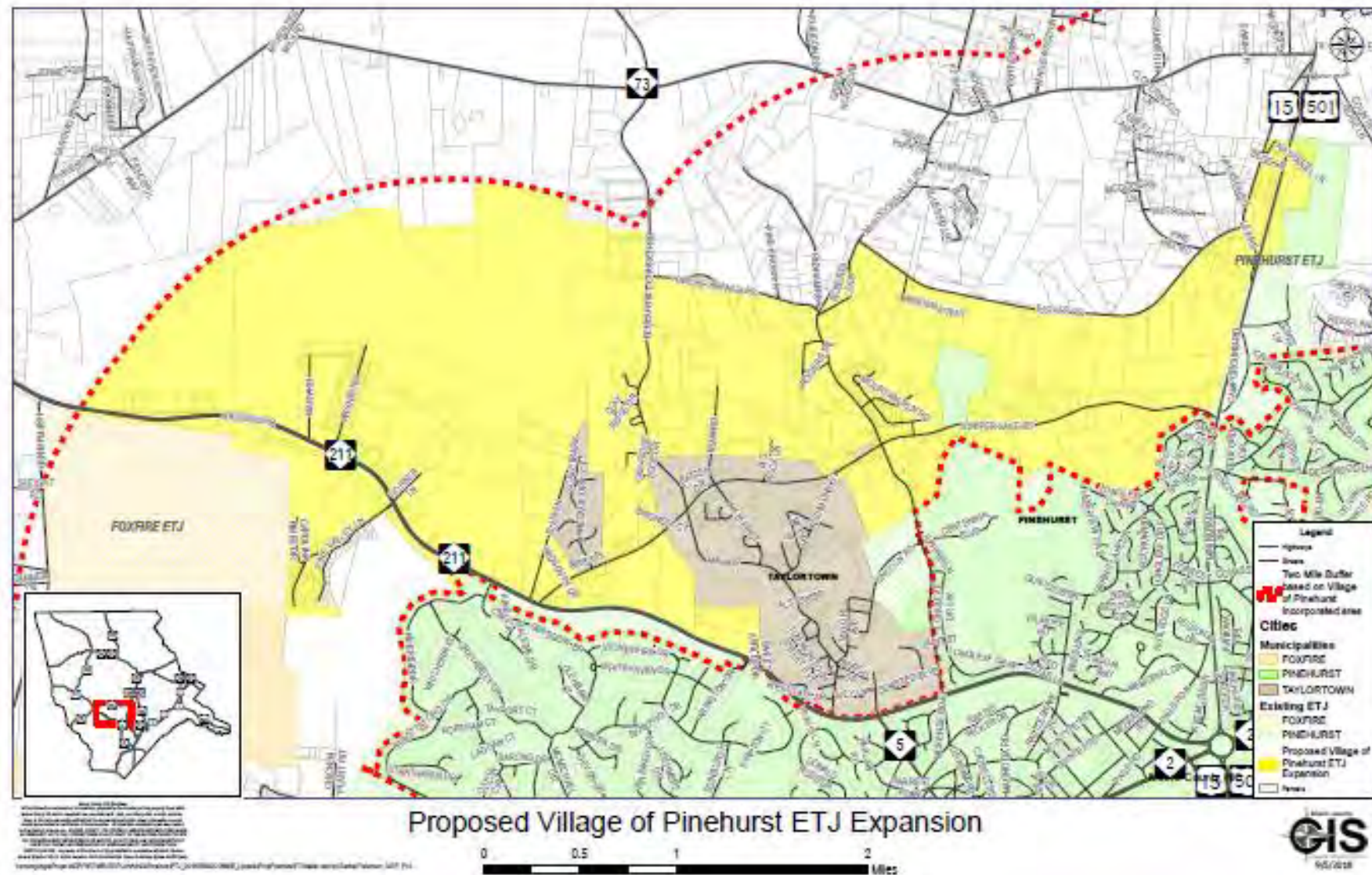
## What it is:

- Extraterritorial Jurisdiction
- Transfer of zoning and development authority from Moore County to Pinehurst
- Transfer of building and fire inspections responsibility from Moore County to Pinehurst

## What it is NOT:

- ANNEXATION
  - Pinehurst cannot annex property against the general will of property owners
  - Moore County cannot approve Pinehurst's annexation of property against the general will of property owners
- The first step toward involuntary annexation
- Creation of taxing authority – taxes will remain unchanged!

# ETJ Expansion Area Requested





# Why is Pinehurst Requesting Extension of its ETJ?



- **One fundamental premise: Southern Moore County is growing and development in this area is going to happen**
  - Moore County population to grow by 34,000+ from 2010 to 2030 (2013 Moore County Land Use Plan)
  - Moore County zoning is build to accommodate that growth near our municipalities – including the area in question
  - In 30 years, we will not recognize this area
  - We want to ensure that the result is as pleasing and beneficial as possible for all of us

# Why is Pinehurst Requesting Extension of its ETJ? (Continued)



- *Pinehurst is not interested in promoting growth*
- *When* development occurs in this area, Pinehurst wants it to be compatible with and complimentary to Pinehurst's character
- *When* development occurs, Pinehurst also wants to ensure resulting urban areas are adequately supported by municipal services that a County is not resourced to provide

*Not an attempt to change what we see today, it is an attempt to protect our collective future*

*Pinehurst wants to let current residents and property owners live and work as they currently do*

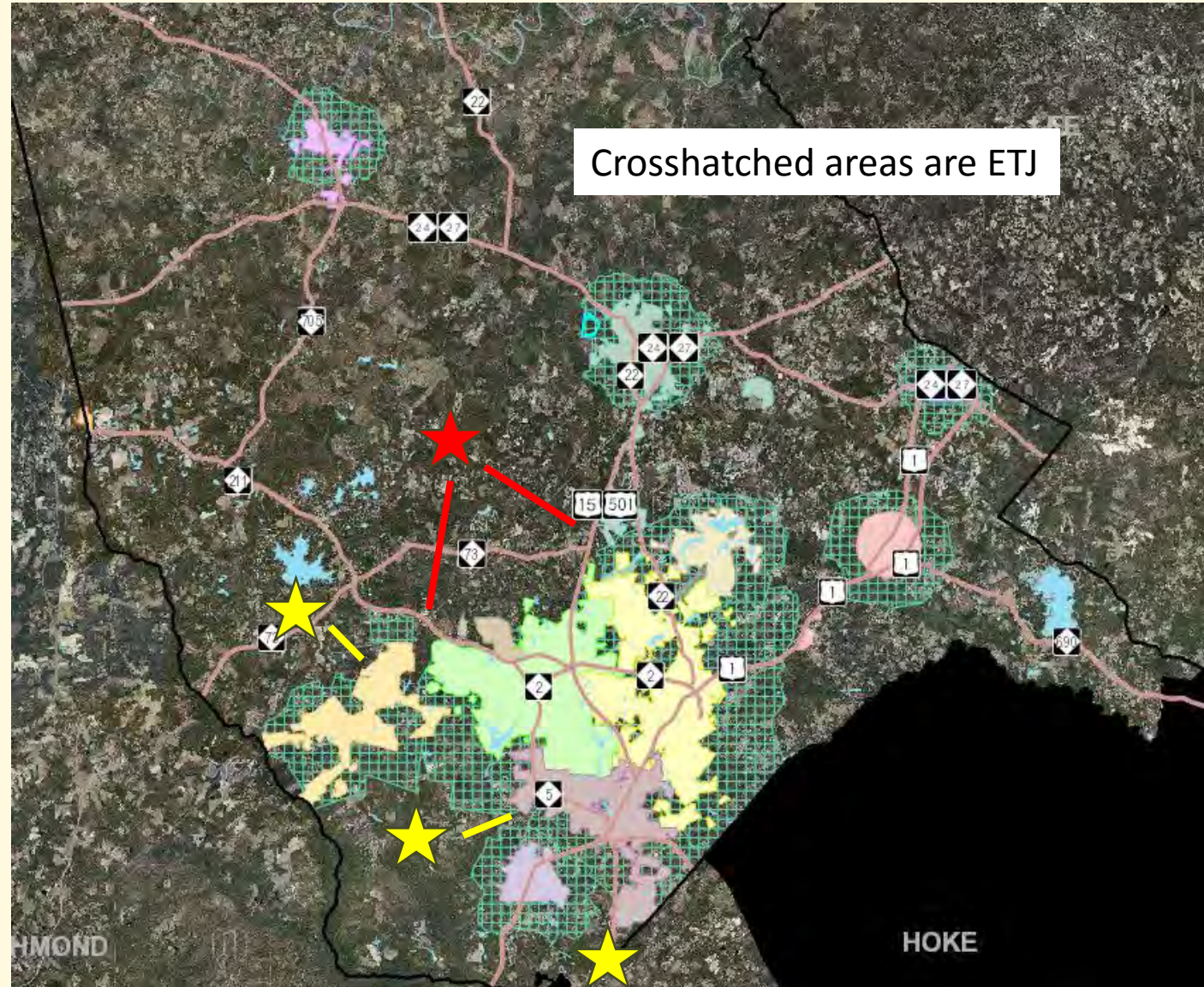


# Current Moore County ETJ Construct



- ✓ Carthage has a surrounding ETJ
- ✓ Whispering Pines has a surrounding ETJ
- ✓ Vass has a surrounding ETJ
- ✓ Pinebluff has a surrounding ETJ
- ✓ Southern Pines has a surrounding ETJ (except where it abuts another municipality)
- ✓ Cameron has a surrounding ETJ

- ★ Aberdeen has a nearly surrounding ETJ (except where it abuts another municipality)
- ★ Foxfire has a nearly surrounding ETJ
- ★ Pinehurst's entire northern border has no ETJ



# Why Existing Property Owners Should be in Favor



- ✓ Pinehurst can afford to pay closer attention to development in this area because it is not concerned with the diverse impacts of development across the county
- ✓ Pinehurst is more in tune with how various types of development can adversely impact the unique character of our area of Moore County
- ✓ In the long run, this should result in less adjacent incompatible development and greater preservation of the special character of the Pinehurst area
- ✓ This will lead to better property values and a higher quality of life for all of our future generations
- ✓ Generally more timely & responsive building inspections



# Potential Property Owner Concerns



- Perceptions of Over-Regulation:

Area	How Regulation Will be Handled
Farm practices	<b>No change</b> - NCGSs exempt bone fide farm uses from ETJ regulation
Chickens & livestock	Pinehurst currently allows in R210 (5 acre zoning); <b>Grandfathered</b> nonconforming use for other zoning districts
Fences, signs, propane tanks and accessory buildings	<b>Grandfathered</b> nonconforming situations
Boats	Pinehurst currently allows in R210 (5 acre zoning) and commercial zoning; <b>Grandfathered</b> nonconforming use for other zoning districts
Trash cans	<b>No change</b> - Not governed by development ordinance
Oversized vehicles, commercial vehicles, trailers, unregistered vehicles	<b>No change</b> - Not governed by development ordinance

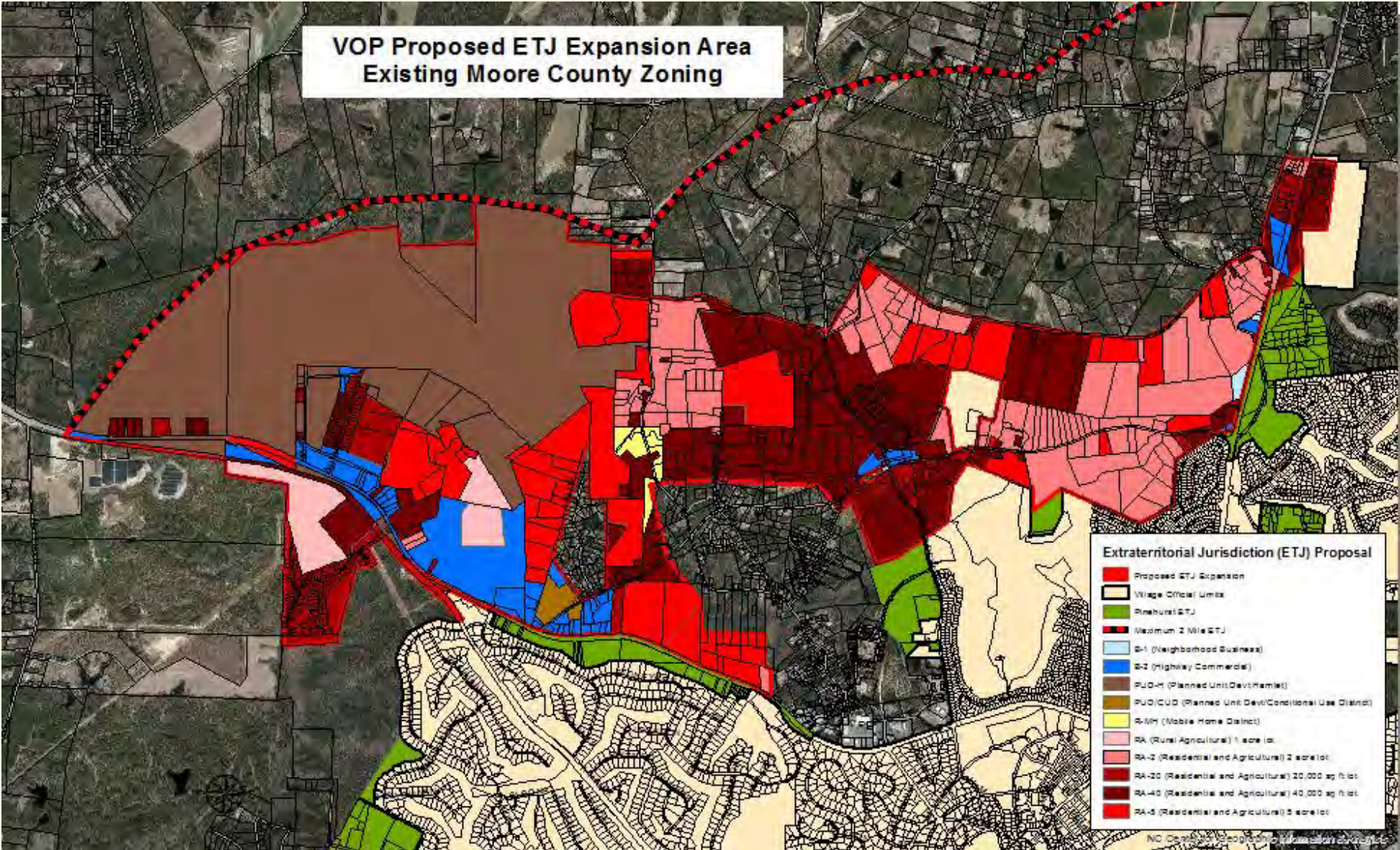
# Potential Property Owner Concerns (Continued)



- **Higher taxes:** This is NOT an annexation – NO new taxes
- **Changes to zoning:**
  - Pinehurst is committed to working with property owners to ensure resulting zoning is in the collective best interest
  - Property owners are encouraged to be involved in our ongoing Comprehensive Long Range Plan update
  - Pinehurst's development ordinance protects nonconforming uses that result from changes in zoning



# Current Moore County Zoning



# Potential Property Owner Concerns (Continued)



- **Other concerns:** the Village of Pinehurst is committed to working through each individual concern, point-by-point

***This is not about changing the present, it is about protecting our future!***



# Why Should Moore County Approve?



- ✓ **Creates an environment where developers are more likely to petition for annexation, thereby relieving Moore County of the responsibility for providing concentrated municipal levels of service (while still collecting the same taxes)**
- ✓ **Helps to preserve the unique character of Pinehurst, which is vital to Moore County's economy and quality of life**
- ✓ **Relieves Moore County of responsibility for and expense associated with building inspections and fire inspections**

# Conclusions



***Pinehurst is not interested in promoting growth, we are interested in managing the growth that is going to happen!***

***This is NOT about annexing property, it's about protecting our future!***

***This is NOT about changing the present, it's about protecting our future!***

The Village of Pinehurst is committed to working with affected property owners to ensure the best possible zoning and desirable changes to our development ordinance to accommodate the expansion

Check out: [www.envisionthevillage.com](http://www.envisionthevillage.com), and participate in Planapalooza, September 19<sup>th</sup> – 24<sup>th</sup> at Village Hall

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning & Transportation Director

**DATE:** September 12, 2018

**SUBJECT:** General Use Rezoning Request: Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)

**PRESENTER:** Theresa Thompson

**REQUEST**

Tammy Allred Forest is requesting a General Use Rezoning from Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40) of an approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, owned by Tammy Allred per Deed Book 2015E, Page 629.

Public notification consisted of publishing a legal notice in the local newspaper for two consecutive weeks, notification by mail to adjacent property owners, and placing public hearing signs on the property.

**BACKGROUND**

The existing use on the property is a Trade Contractor's shop that has been closed for several years.

**ZONING DISTRICT COMPATIBILITY**

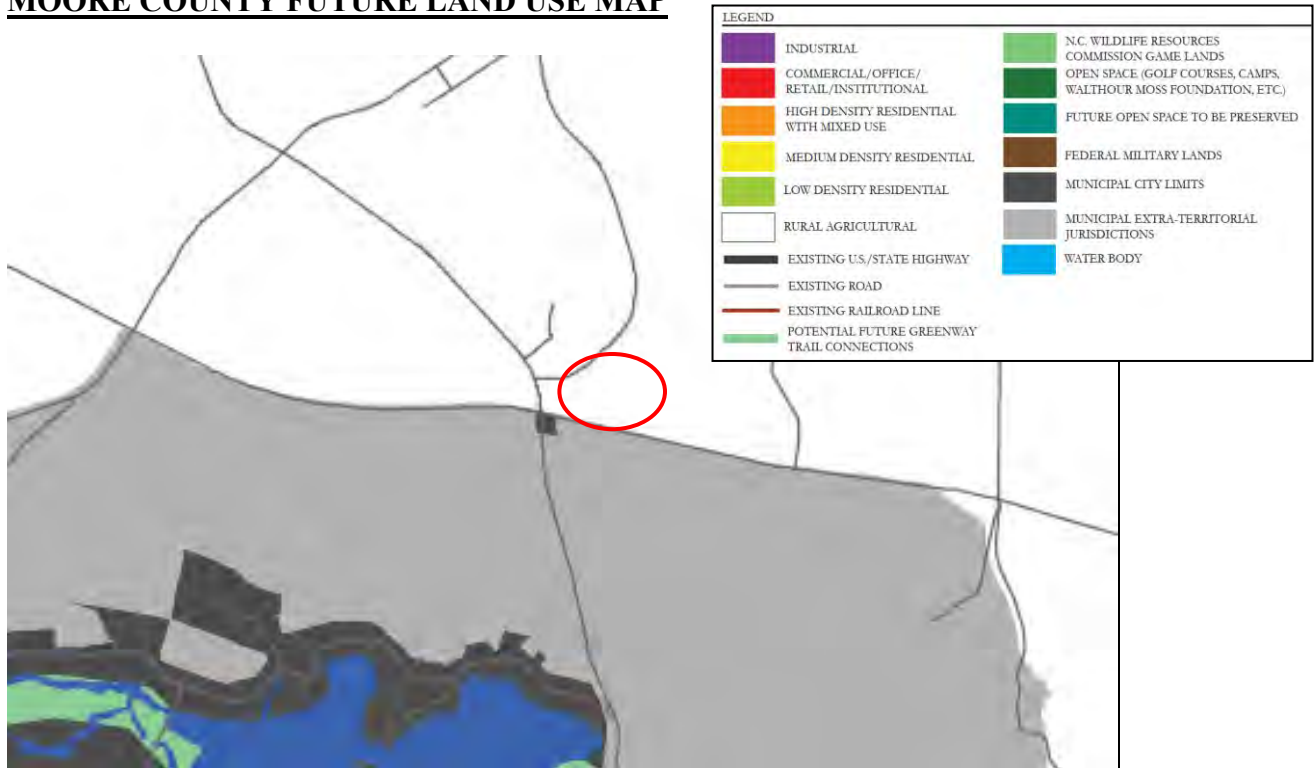
The requested rezoning to Residential and Agricultural-40 (RA-40) is consistent with the adjacent uses in the area, including single family residential and commercial. The surrounding area is zoned a mixture of Neighborhood Business (B-1), Highway Commercial (B-2), Residential and Agricultural-40 (RA-40), and Residential and Agricultural-20 (RA-20) in Moore County jurisdiction and Neighborhood Shopping (NS) and Residential Agricultural (RA) in Whispering Pines Jurisdiction.

**CONSISTENCY WITH THE 2013 MOORE COUNTY LAND USE PLAN**

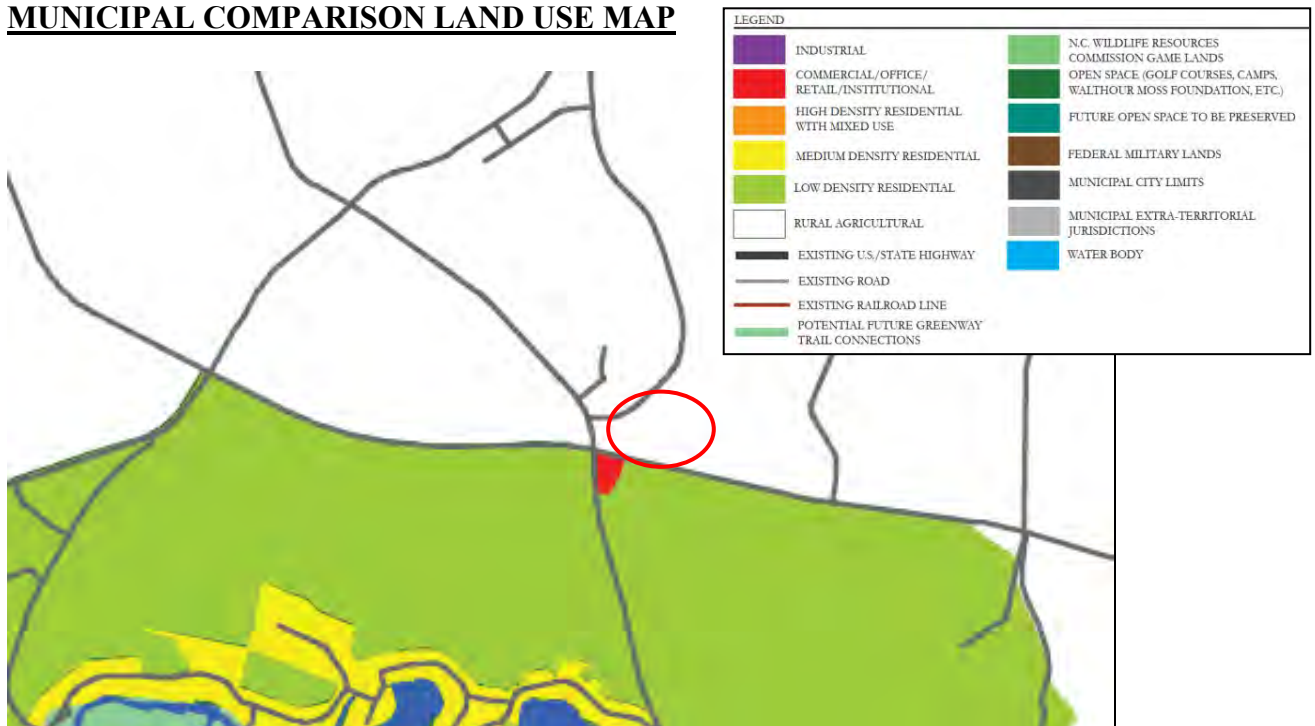
The site has a Rural Agricultural Land Use Classification (RALUC). The requested zoning to RA-40 is compatible with the Rural Agricultural Land Use Classification (RALUC). The Land Use Plan states the primary use of the Rural Agricultural Land Use Classification (RALUC) is to support rural residential life associated with agricultural uses and other rural activities. The Moore County Unified Development Ordinance states the Residential and Agricultural-40 zoning district is created to allow for single family dwellings, duplexes and agricultural use and discouraging any use which would generate traffic on minor streets other than normal traffic to serve residences on those streets.

The rezoning request is also consistent with several goals as included in the attached Land Use Plan Consistency Statement, including Goal 3.1: Maximize accessibility among living, working, and shopping areas and Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

### **MOORE COUNTY FUTURE LAND USE MAP**



### **MUNICIPAL COMPARISON LAND USE MAP**



## **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt one of the attached Moore County Planning Board Land Use Plan Consistency Statements (Approval or Denial) and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

**Motion #2:** Make a motion to recommend approval or denial to the Moore County Board of Commissioners of the General Use Rezoning request from Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40) of an approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, owned by Tammy Allfred per Deed Book 2015E, Page 629.

## **ATTACHMENTS**

- Pictures of Property and Adjacent Properties
- Vicinity Map, Land Use Map, Rezoning Map
- Rezoning Application
- Planning Board Consistency Statement – Approval
- Planning Board Consistency Statement – Denial
- Deed Book 2015E, Page 629



**View of subject property from Vass-Carthage Road**



**View of subject property from Bibey Road**



**Adjacent property - 3201 Vass-Carthage Road – Whispering Pines Thrift Shop**



**Adjacent property – 3196 Vass-Carthage Road – Farm to Table**





**Adjacent Property – 3286 Vass-Carthage Road**

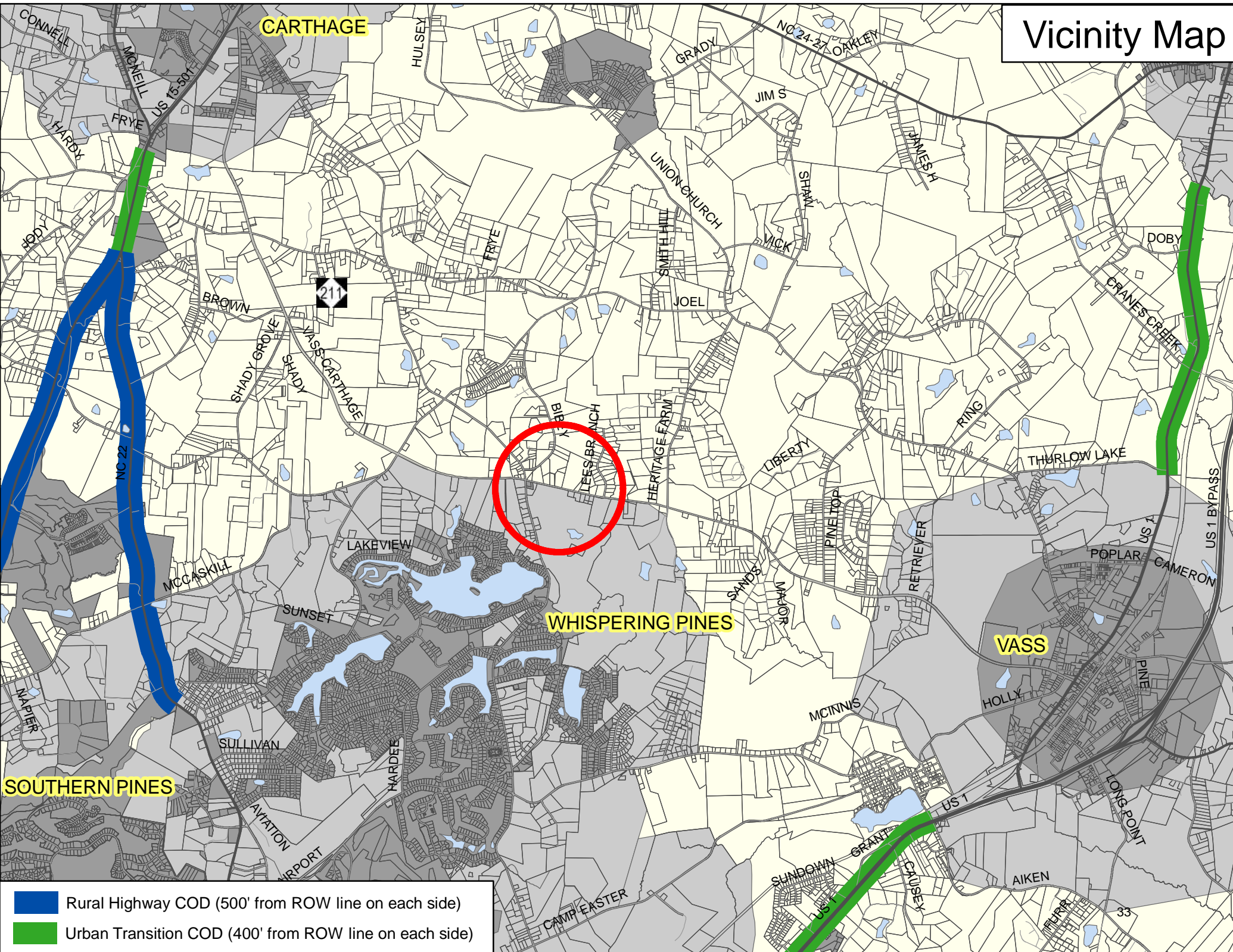


**Adjacent Property – 756 Bibey Road**



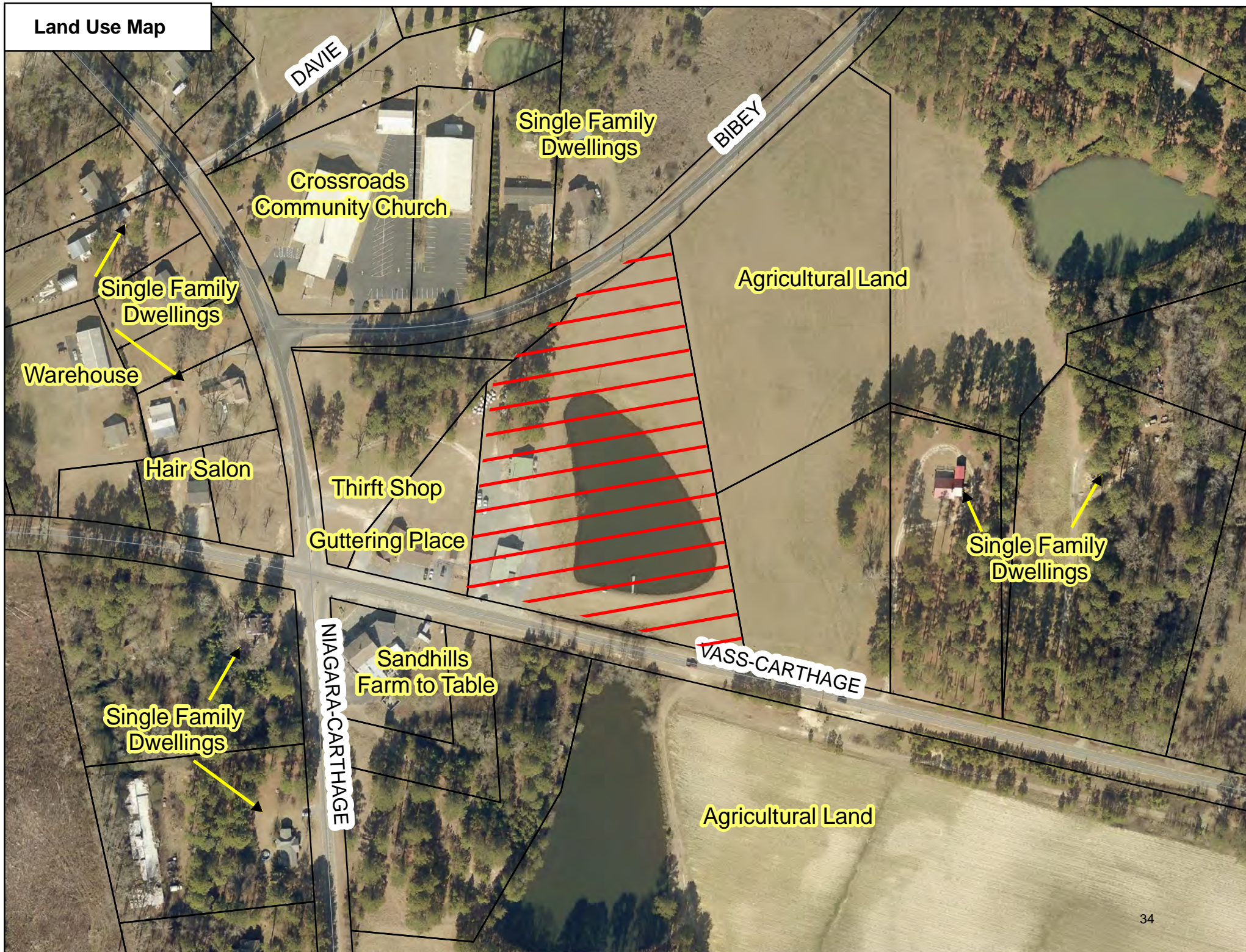


# Vicinity Map



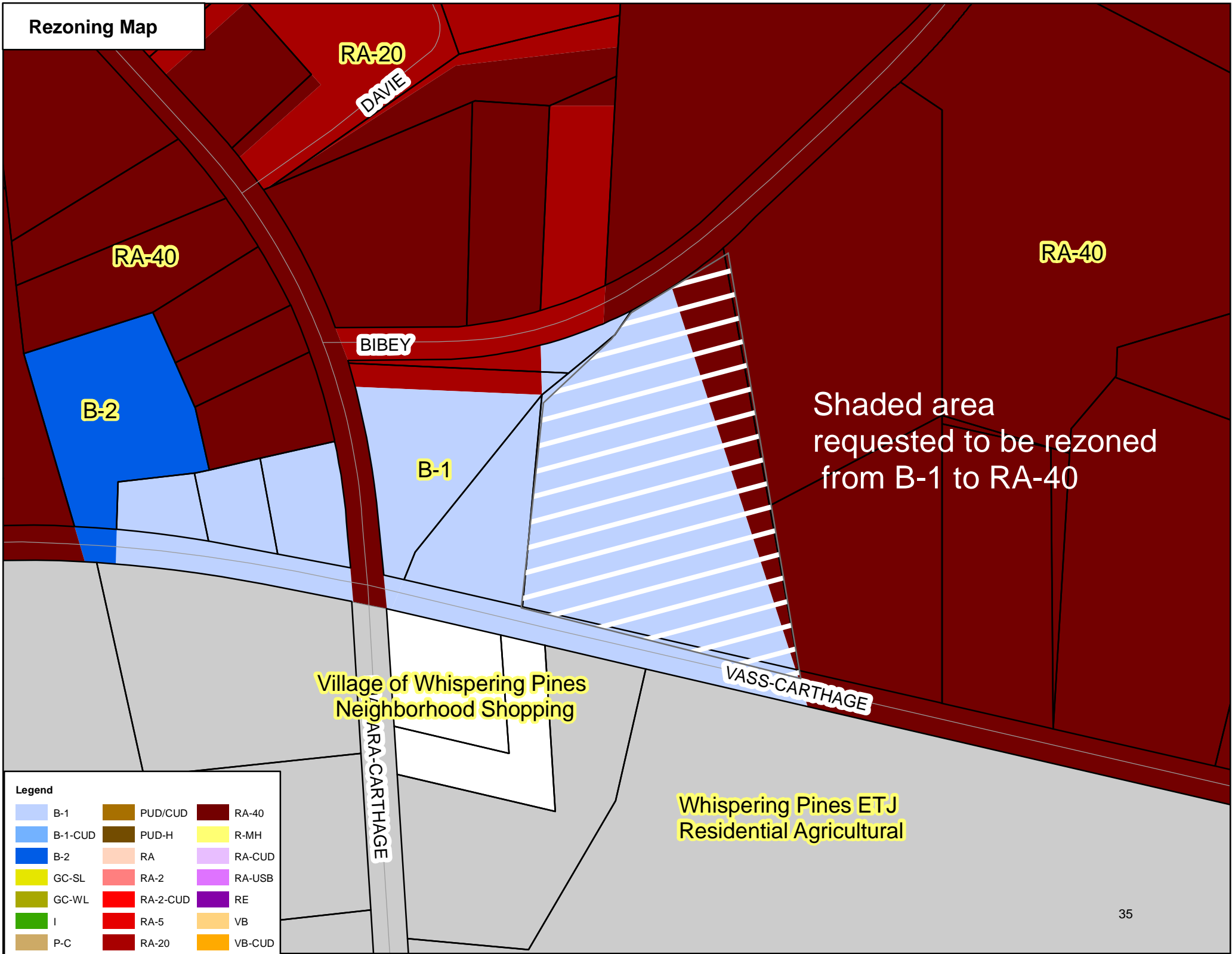


# Land Use Map





# Rezoning Map



## Legend

B-1	PUD/CUD	RA-40
B-1-CUD	PUD-H	R-MH
B-2	RA	RA-CUD
GC-SL	RA-2	RA-USB
GC-WL	RA-2-CUD	RE
I	RA-5	VB
P-C	RA-20	VB-CUD

# County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221  
Planning: (910) 947-5010  
Transportation: (910) 947-3389

## GENERAL USE REZONING APPLICATION

Application Date: <u>8-14-18</u>		APP# <u>23099</u>	
Location/Address of Property: <u>3221 Vass Carthage Rd</u>			
Applicant: <u>Tammy Forest</u>		Phone: <u>910 315-91059</u>	
Applicant Address: <u>437 Ave of the Carolinas</u>	City: <u>Whispering Pines</u>	St: <u>NC</u>	Zip: <u>28327</u>
Owner: <u>Tammy Allred Forest</u>		Phone: <u>315-9689</u>	
Owner Address: <u>437 Ave of the Carolinas</u>	City: <u>Whispering Pines</u>	St: <u>NC</u>	Zip: <u>28327</u>
Current Zoning District: <u>B-1</u>	Proposed Zoning District: <u>RA-40</u>		
Comments: <u>Rezone B-1 to RA-40</u>			
<u>PARCEL ID# 00030841</u>			
<u>LEGAL: MARTIN LAND</u>			
<u>Deed Book 2015 E Page 629</u>			
<p>I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.</p>			
<u>Tammy Forest</u> Applicant/Owner Signature		<u>8/17/18</u> Date	
Applicant/Owner Signature		Date	
Office Use Only:			
PAR ID: <u>00030841</u>			
<u>Heuon M. Thompson</u> Received By		<u>8/21/2018</u> Date	

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. Contributing factors in the rezoning approval is in response to managing the demand of residential growth. This site is determined to be suitable for development due to its close proximity to nearby towns and availability of public water.

3. The rezoning request is reasonable and in the public interest considering the property is located adjacent to residential property, is in close proximity to The Village of Whispering Pines, and has availability of public water.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the General Use Rezoning Request, to result in of the approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, being rezoned

to Residential and Agricultural (RA-40), as proposed. The approval is also deemed an amendment to the Land Use Plan Future Land Use Map.

---

Eddie Nobles, Chair  
Moore County Planning Board

---

Date

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**General Use Rezoning Request**  
**Neighborhood Business (B-1) to Residential and Agricultural-40 (RA-40)**

The Moore County Planning Board finds that:

1. The rezoning request is consistent with the following goals as listed in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around the municipalities)

- Action 1.5.2: Support new developments that utilize existing or implement planned infrastructure that most economically preserves open space and important historical, natural and cultural features.
- Action 1.8.8: Support and promote infill development that will optimize the use of existing infrastructure.

Goal 3: Optimize the Uses of Land Within the County of Moore

- Goal 3.1: Maximize accessibility among living, working, and shopping areas
- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

2. The rezoning request is not reasonable and not in the public interest because the proposed rezoning will have an unreasonable impact on the surrounding community.

Therefore, the Moore County Planning Board recommends **DENIAL** of the General Use Rezoning Request, to result in of the approximate 6.21 acre parcel, located at 3221 Vass-Carthage Road and adjacent to Bibey Road, being rezoned to Residential and Agricultural (RA-40), as proposed. The approval is also deemed an amendment to the Land Use Plan Future Land Use Map.

Eddie Nobles, Chair  
Moore County Planning Board

Date



# LAST WILL AND TESTAMENT

OF

**LARRY R. ALLRED**

**NORTH CAROLINA**

**MOORE COUNTY**

I, **LARRY R. ALLRED**, of Moore County, North Carolina, being of sound mind and memory, and not acting under duress, coercion or undue influence of any person whomsoever, but considering the uncertainty of my earthly existence, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all Wills and Codicils to Wills heretofore made by me.

## ITEM ONE

I direct my Personal Representative to pay out of my estate all of my just debts, funeral expenses, administrative costs, income and inheritance taxes and, if any, the cost of a grave site.

## ITEM TWO

I hereby will, devise and bequeath my personal automobile to my friend, **KATHY ALLRED**.

## ITEM THREE

I hereby will, devise and bequeath my real property located at 3221 Vass-Carthage Road, Carthage, North Carolina, containing 6.21 acres, unto my daughter, **TAMMY L. ALLRED**.

## ITEM FOUR

I hereby will, devise and bequeath 2 acres of real property to my brother and sister-in-law, **JAMES TONY ALLRED** and wife, **KATHY ALLRED**, for and during their natural life and said 2 acres is to be where they live on my real property described in that certain Deed recorded in Deed Book 579, at Page 297 in the Moore County Registry and located in Deep River Township.

 (SEAL)  
**LARRY R. ALLRED**

**ITEM FIVE**

I hereby will, devise and bequeath all the rest, residue and remainder of my property, both real, personal, or mixed, wheresover situated and whenever by me acquired, unto my son, **TIMOTHY L. ALLRED.**

**ITEM SIX**

I do hereby expressly make it a part of this my Last Will and Testament, that if any person named herein shall not abide by and maintain the Will as it is written, but shall institute or cause to be instituted or shall voluntarily become a party to any caveat, action, or other legal proceeding upon any grounds whatsoever for the purpose of contesting my Will, or any part thereof, such beneficiary and devisee shall take nothing whatsoever under this Will, and the part that such beneficiary or devisee would otherwise have taken shall become a portion of the property and funds passing under the residuary clause of this Will as if such beneficiary or devisee had predeceased me.

**ITEM SEVEN**

If any share or property hereunder becomes distributable to a beneficiary who has not attained the age of twenty-one (21) years or if any real property shall be devised to a person who has not attained the age of twenty-one (21) years at the date of my death, then such share or property shall immediately vest in the beneficiary, but notwithstanding the provisions herein, my Personal Representative acting as Trustee shall retain possession of the share or property in trust for the beneficiary until the beneficiary attains the age of twenty-one (21), using so much of the net income and principal of the share or property as my Personal Representative deems advisable any other income or resources of the beneficiary or his or her parents known to my Personal Representative. Any income not so paid or applied shall be accumulated and added to principal. The beneficiary's share or property shall be paid over, distributed and conveyed to the beneficiary upon attaining age twenty-one (21), or if he or she

 (SEAL)  
**LARRY R. ALLRED**

shall sooner die, to his or her personal representatives. Whenever my Personal Representative in such of the following ways as my Personal Representative deems best: 1) directly to the beneficiary; 2) to the legally appointed guardian of the beneficiary; 3) to some relative or friend for the care, support and education of the beneficiary; 4) by my Personal Representative using such amounts directly for the beneficiary's care, support, and education; 5) to a custodian for the beneficiary under the Uniform Gifts or Transfers to Minors Act. My Personal Representative as trustee shall have with respect to each share or property so retained all the powers and discretions conferred upon it as Personal Representative.

#### **ITEM EIGHT**

I may in the future prepare a list, in my own handwriting and signed by me, of certain items of my personal property and the persons I wish to receive such items at my death. If such a list is found, I direct my Personal Representative to distribute the items so identified to the persons named. If no such list is found, or to the extent such list does not fully dispose of my personal property, then the personal property shall pass as I have previously provided.

#### **ITEM NINE**

I nominate and appoint my son, **TIMOTHY ALLRED** as the Personal Representative of this my Last Will and Testament, giving to my said Personal Representative of this, my Last Will and Testament, full right, power and authority to bargain, sell, convey, transfer, deed, compromise, settle, adjust, manage and deal with any and all property and obligations or claims, both in favor of and against my estate, upon such terms and under such conditions as to my said Personal Representative shall deem best for the proper settlement of my estate, **WITHOUT ORDER OF ANY COURT**; and in the execution of said duties and powers of my Personal Representative shall have the power to comply with all legal requirements as to the execution of deeds and all other writings, documents or formalities **WITHOUT ORDER OF COURT**. I desire that my Personal Representative shall serve in such capacity **WITHOUT BOND**.

 (SEAL)  
**LARRY R. ALLRED**

In the event my said Personal Representative shall predecease me or for any reason she is unable to serve as Personal Representative, then I nominate and appoint my beloved daughter, **TAMMY L. ALLRED** as my Substitute Personal Representative, granting to her the same powers as are hereinabove delegated to my Personal Representative, and I request that she shall serve in such capacity **WITHOUT BOND**.

In addition to the powers and authorities granted to my Personal Representative above, I further grant all powers set forth in NCGS 28A-13-3 except as limited by NCGS 28A-13-6 and incorporated such powers in this my Last Will and Testament by reference to NCGS 28A-13-3.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, my Last Will and Testament. This, the 2 day of July, 2015.

Larry R. Allred (SEAL)  
**LARRY R. ALLRED**



NORTH CAROLINA

CERTIFICATE OF SELF PROVING WILL

COUNTY OF MOORE

BEFORE ME, the undersigned authority, on this day, personally appeared the undersigned persons, known to be the Testator and the witnesses, respectively, whose names are signed to the attached and foregoing instrument, and all of these persons being by me first duly sworn. The Testator declared to me and to the witnesses in my presence that the instrument is his Last Will and Testament; that he had willingly signed or directed another to sign the same for him and he executed in the presence of the witnesses as his free and voluntary act for the purposes therein expressed; or, that the Testator signified that the instrument is his instrument by acknowledging to them his signature previously affixed thereto.

The witnesses stated before me that the foregoing Will was executed and acknowledged by the Testator as his Last Will and Testament in the presence of the witnesses who, in his presence and at his request, subscribed their names thereto as attesting witnesses and that the Testator, at the time of the execution of the Will, was over eighteen (18) years of age and of sound and disposing mind and memory.

Larry R. Allred (SEAL)  
TESTATOR (LARRY R. ALLRED)

Frank C. Thigpen (SEAL)  
WITNESS

Angela O. Pearce (SEAL)  
WITNESS

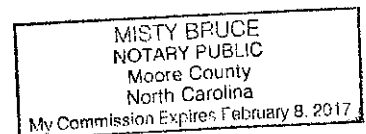
Kami L. Brunson (SEAL)  
WITNESS

Subscribed, sworn and acknowledged before me by LARRY R. ALLRED, the Testator, subscribed and sworn before me by Frank C. Thigpen, Angela O. Pearce, and Kami L. Brunson, witnesses.

This, the 2 day of July, 2015.

Misty Bruce  
NOTARY PUBLIC

My Commission Expires: 2-8-17



**MEMORANDUM TO THE WATERSHED REVIEW BOARD**

**FROM:** Debra Enslinger  
Planning & Transportation Services Director

**DATE:** September 12, 2018

**SUBJECT:** Special Non-residential Intensity Allocation (SNIA) Request  
("STARS Charter School" – 140 Southern Dunes Drive)

**PRESENTER:**

**REQUEST**

Neighborhood Youth Leadership is seeking a Special Non-Residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 49.17% on a property located at 140 Southern Dunes, Vass, NC, owned by Neighborhood Youth Leadership, to construct Phase 2 of the expansion of STARS Charter School.

**BACKGROUND**

- The property is located within the WS-III-BW Little River (Intake #2) Watershed which limits non-residential development to 24% built-upon area except approval of a SNIA authorizes up to 70% built-upon area.
- The proposed acreage is 9.17 acres.
- The applicant is requesting to increase the total built-upon area to 4.5 acres or 49.17 % of the project site.
- The subject property is currently a school. Per UDO Section 15.5(E), in order to assure that sufficient land is available for public projects and facilities within the five identified Watershed areas, 5% of the Special Nonresidential Intensity Allocation shall be set aside for such projects in the Drowning Creek Watershed, the Bear Creek Watershed, the Little River (Vass) Watershed, and the Little River #2 Watershed. Public projects and facilities shall include schools, public buildings and other similar uses.
- The total allocation remaining for the amount set aside for public projects is 2,585.24. Approval of this SNIA request will increase the total project acreage by 9.17 acres leaving 2,576.07 acres for future allocation.

**UDO REQUIREMENTS MET**

- The applicant has submitted a site plan that proposes engineered methods to minimize built-upon surface area, minimize water quality impacts, and incorporating Best Management Practices.
- The property is zoned Highway Commercial Conditional District (B-2-CZ) and allows for the proposed use of School.
- The submitted application and site plan meets all required standards and conditions set forth in the Moore County Unified Development Ordinance.

### **STAFF RECOMMENDATION**

Staff recommends the Moore County Watershed Review Board make the following motion:

**Motion #1:** Make a motion to approve the Special Non-residential Intensity Allocation (SNIA) to increase the maximum built-upon area to 49.17% on a 9.17 acre property located at 140 Southern Dunes, Vass, NC, owned by Neighborhood Youth Leadership.

### **ATTACHMENTS**

Pictures of Property

Land Use Map

SNIA Application

Submitted Engineer Letter

Submitted Site Plan

Plat Cabinet 17, Slide 628

Deed Book 4950, Page 503

**View of property from Southern Dunes Drive**



**View of property from parking lot**







Single Family Dwelling

Ed's Gun Shop

Undeveloped

Church

Auto Sales

Townhomes

Tractor Supply Store

Dentist Office

Bob's Pizza

SOUTHERN DUNES

US 1

US 1

KIMBALL

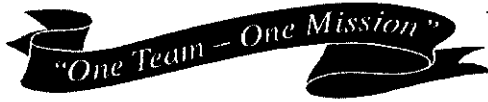
LAND USE MAP

0 240 480 Feet



23242

# County of Moore Planning and Transportation



Inspections/Permitting: (910) 947-2221  
 Planning: (910) 947-5010  
 Transportation: (910) 947-3389

## Special Non-Residential Intensity Allocation (SNIA) Application

Application Date: 09-04-2018

Location/Address of Property: 140 Southern Dunes Drive Vass, NC

Applicant: Neighborhood Youth Leadership

Phone: 910-695-1004

Applicant Address: PO Box 775

City: Southern Pines

St: NC

Zip: 28388

Owner: Neighborhood Youth Leadership

Phone: 910-695-1004

Owner Address: PO Box 775

City: Southern Pines

St: NC

Zip: 28388

Proposed Use on the Property: Charter School (K-12)

Existing Impervious Surface Pre-January 1, 1994:  
(Square Feet)

N/A

Existing Impervious Surface Post-January 1, 1994:  
(Square Feet)

91,476 SF (22.90%)

Proposed Impervious Surface (Square Feet):

104,983 SF

Total Proposed Impervious Surface (Square Feet):

196,459 SF (49.17%)

Total Project Acreage:

9.17 AC (399,516 SF)

Comments:

I (We), the undersigned, certify that all statements furnished in this application are true to the best of my (our) knowledge, and do hereby agree to follow all reasonable requests for information as designated by the County of Moore Zoning Administrator.

Owner Signature

Date

Owner Signature

Date

Office Use Only:

LRK: 20020073

Zoning District: B-2-C2

Received By: Darya Cowan

Date:

9-4-2018



180 Perry Dr.  
Southern Pines, NC 28387  
Phone: (910) 246-0038  
www.snsengineers.com  
License # C-3791

September 6, 2018

County of Moore  
Planning and Transportation  
1048 Carriage Oaks Dr.  
Carthage, NC 28327

Re: Neighborhood Youth Leadership - STARS  
140 Southern Dunes  
Vass, NC

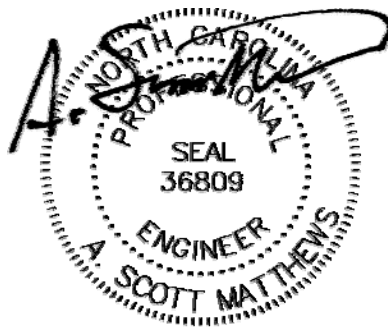
To Whom it may concern,

STARS Charter School is requesting 49.17% (196,459 SF) of impervious surface.

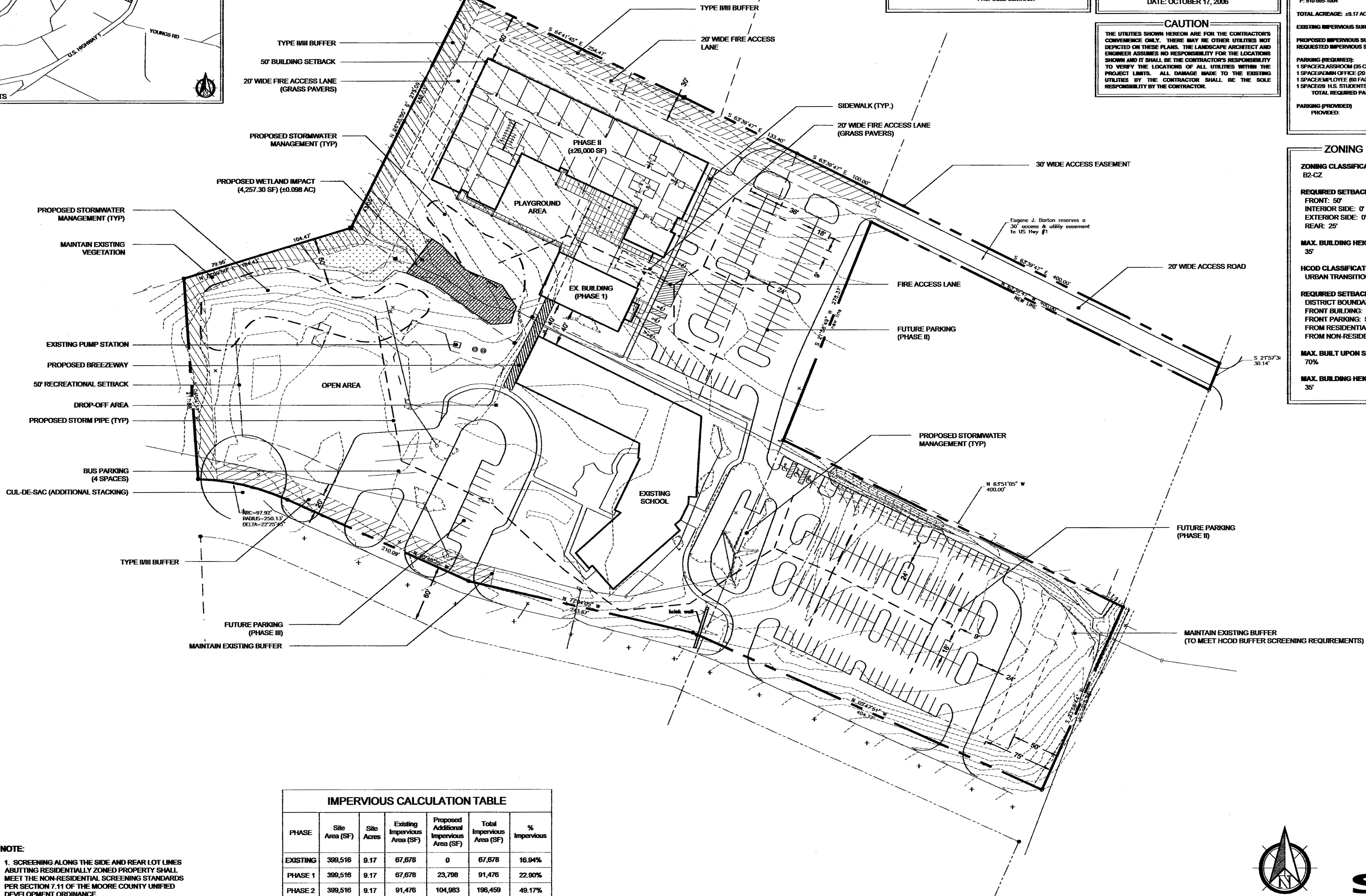
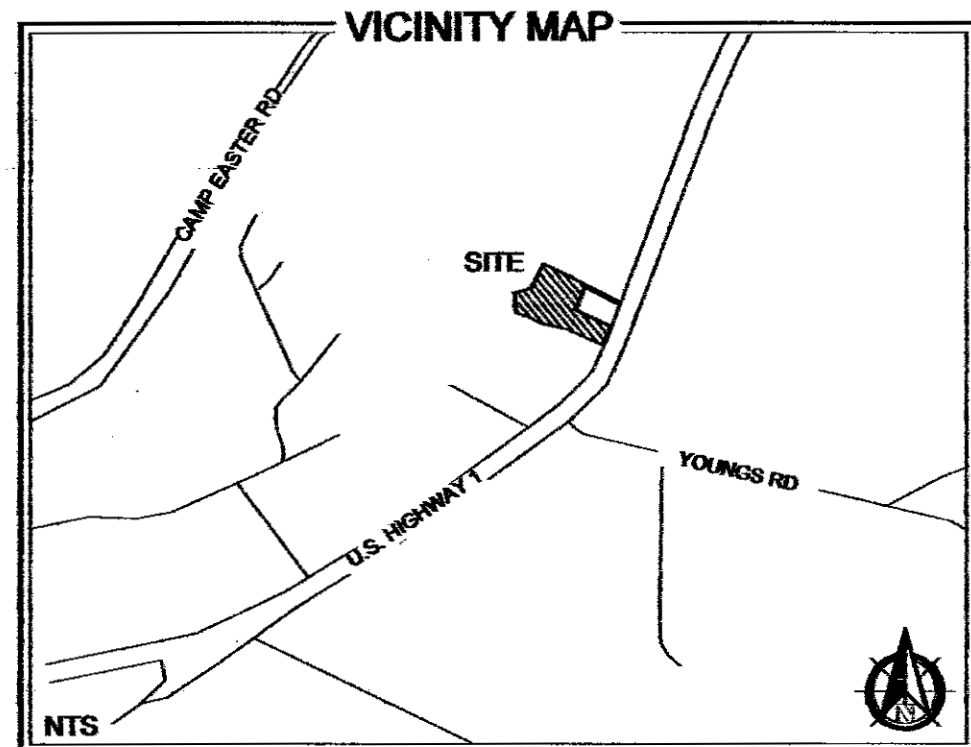
The stormwater will be designed to be directed to two stormwater detention ponds. These ponds will minimize the drainage that would be leaving the site. The stormwater will not be directed to any surface waters. The stormwater detention ponds will be designed to the Best Management standards to minimize water quality impacts. The site is currently all zoned B-2 CZ.

If you have any questions or concerns, please do not hesitate to call.

Sincerely,



9-6-18



**LEGEND**

- PROPERTY BOUNDARY
- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING PARCEL BOUNDARY
- EXISTING WETLAND
- PROPOSED BUILDING
- PROPOSED STORMWATER MANAGEMENT
- PROPOSED EDGE OF PAVEMENT
- PROPOSED SIDEWALK

**FLOODPLAIN DATA**

THIS PROPERTY IS LOCATED IN FLOOD ZONE 'X' (AREAS OF MINIMAL FLOODING)

THE LOCATION OF THE 100-YEAR FLOODPLAIN PER NFIP FIRM COMMUNITY PANEL(S) NO: 9502 MAP(S): 3710950200J DATE: OCTOBER 17, 2006

**CAUTION**

THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTOR'S CONVEYANCE ONLY. THERE MAY BE OTHER UTILITIES NOT DEPICTED ON THESE PLANS. THE LANDSCAPE ARCHITECT AND ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE PROJECT LIMITS. ALL DAMAGE MADE TO THE EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY BY THE CONTRACTOR.

**PROPERTY INFORMATION**

PROPERTY OWNERS:  
NEIGHBORHOOD YOUTH LEADERSHIP  
PO BOX 775  
SOUTHERN PINES, NC 28388

APPLICANT:  
NEIGHBORHOOD YOUTH LEADERSHIP  
PO BOX 775  
SOUTHERN PINES, NC 28388  
P: 910-695-1004

TOTAL ACREAGE: ±9.17 AC

EXISTING IMPERVIOUS SURFACE: 22.90% (±2.10 AC)

PROPOSED IMPERVIOUS SURFACE: 49.17% (±4.51 AC)

REQUESTED IMPERVIOUS SURFACE: 60.00% (±5.50 AC)

PARKING (REQUIRED):

1 SPACE/CLASSROOM (25 CLASSROOMS)	= 35 SPACES
1 SPACE/ADMIN OFFICE (20 ADMIN OFFICES)	= 20 SPACES
1 SPACE/EMPLOYEE (60 FACULTY)	= 60 SPACES
1 SPACE/200 H.S. STUDENTS (240 H.S. STUDENTS)	= 120 SPACES
<b>TOTAL REQUIRED PARKING</b>	<b>= 225 SPACES</b>

PARKING (PROVIDED):

PROVIDED: = 229 SPACES

**ZONING INFORMATION**

**ZONING CLASSIFICATION:**  
B2-CZ

**REQUIRED SETBACKS (B2):**  
FRONT: 50'  
INTERIOR SIDE: 0'  
EXTERIOR SIDE: 0'  
REAR: 25'

**MAX. BUILDING HEIGHT (B2):**  
35'

**HCOD CLASSIFICATION:**  
URBAN TRANSITION

**REQUIRED SETBACKS (URBAN TRANSITION):**  
DISTRICT BOUNDARIES FROM ROW: 400'  
FRONT BUILDING: 75'  
FRONT PARKING: 50'  
FROM RESIDENTIAL: 50'  
FROM NON-RESIDENTIAL: 25'

**MAX. BUILT UPON SURFACE:**  
70%

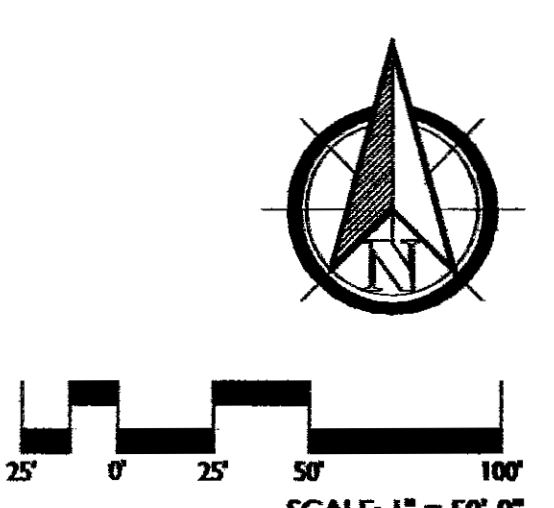
**MAX. BUILDING HEIGHT (URBAN TRANSITION):**  
35'

**IMPERVIOUS CALCULATION TABLE**

PHASE	Site Area (SF)	Site Acres	Existing Impervious Area (SF)	Proposed Additional Impervious Area (SF)	Total Impervious Area (SF)	% Impervious
EXISTING	399,516	9.17	67,678	0	67,678	16.94%
PHASE 1	399,516	9.17	67,678	23,798	91,476	22.90%
PHASE 2	399,516	9.17	91,476	104,983	196,459	49.17%

**NOTE:**

1. SCREENING ALONG THE SIDE AND REAR LOT LINES ABUTTING RESIDENTIALLY ZONED PROPERTY SHALL MEET THE NON-RESIDENTIAL SCREENING STANDARDS PER SECTION 7.11 OF THE MOORE COUNTY UNIFIED DEVELOPMENT ORDINANCE.



180 Perry Drive  
Southern Pines, NC 28387  
Phone: (910) 246-0038  
NC License # C-3791



REVISIONS:

**SANDHILLS THEATRE ART AND RENAISSANCE SCHOOL  
(STARS CHARTER)  
MOORE COUNTY, NORTH CAROLINA  
SNIA SITE PLAN**

DATE: 09/04/2018  
DESIGNED BY:  
DRAWN BY:  
SCALE: 1"=50'  
PROJECT #:

SHEET NUMBER#:

**C-1.0**

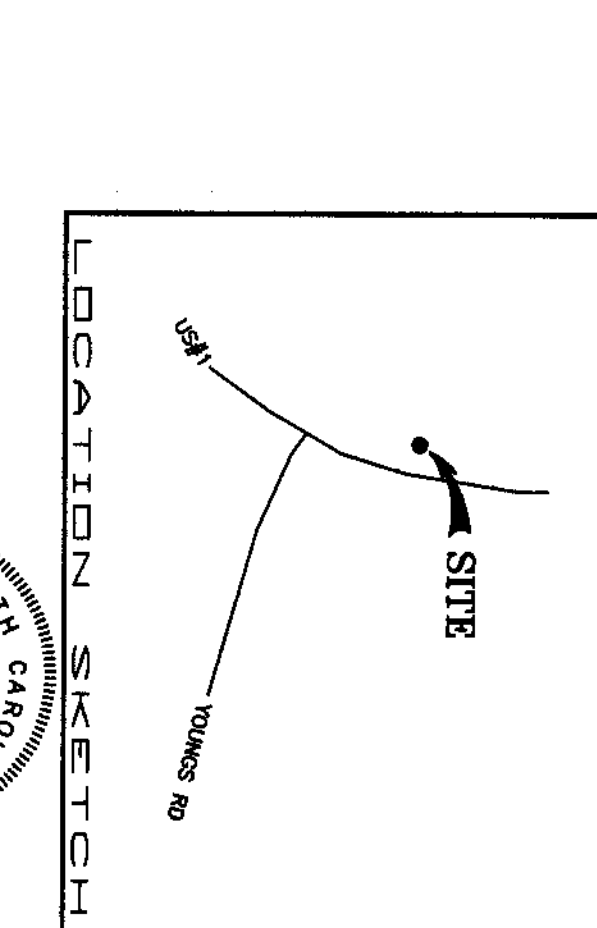


628

REFERENCE: 1971, PAGE 209  
DEED BOOK 409, PAGE 201  
MOORE COUNTY REGISTRY  
RATIO OF PRECISION= 1/10,000+  
ACREAGE DETERMINED  
BY COORDINATE METHOD.  
UNLESS OTHERWISE DENOTED,  
● = EXISTING IRON STAKE  
■ = EXISTING CONCRETE MONUMENT  
□ = SET 1/2" IRON STAKE  
X = CALCULATED POINT  
+ = POWER SERVICE STUB  
○ = POWER SERVICE STUB  
⊗ = TELEPHONE SERVICE STUB  
⊙ = CABLE TV SERVICE STUB  
⊖ = WATER METER  
⊕ = FIRE HYDRANT  
⊗ = SANITARY SEWER MANHOLE  
⊖ = UTILITY POLE  
Parcel ID# 00031088

This property is located within a watershed (WS-III-BN), Cape Fear Basin  
This property lies within a Highway Corridor Overlay District  
developmental restrictions will apply.  
CERTIFICATE OF EXEMPTION  
HEREBY CERTIFY THAT THE DIVISION OF PROPERTY  
SHOWN AND DESCRIBED HEREON IS EXEMPT FROM  
THE MOORE COUNTY SUBDIVISION ORDINANCE  
BY DEFINITION AND/OR ORIGINANCE.  
DATE 2/27/2018  
Eugene J. Barton  
PLANNING DIRECTOR OR CERTIFIED AGENT  
Approval of this exempt subdivision plat constitutes compliance with  
North Carolina General Statute 153A-335 only. Further development of  
the parcels shown subsequent to the date of this plat shall be subject to  
all applicable Federal, State and local laws, statutes, ordinances and/or  
codes.

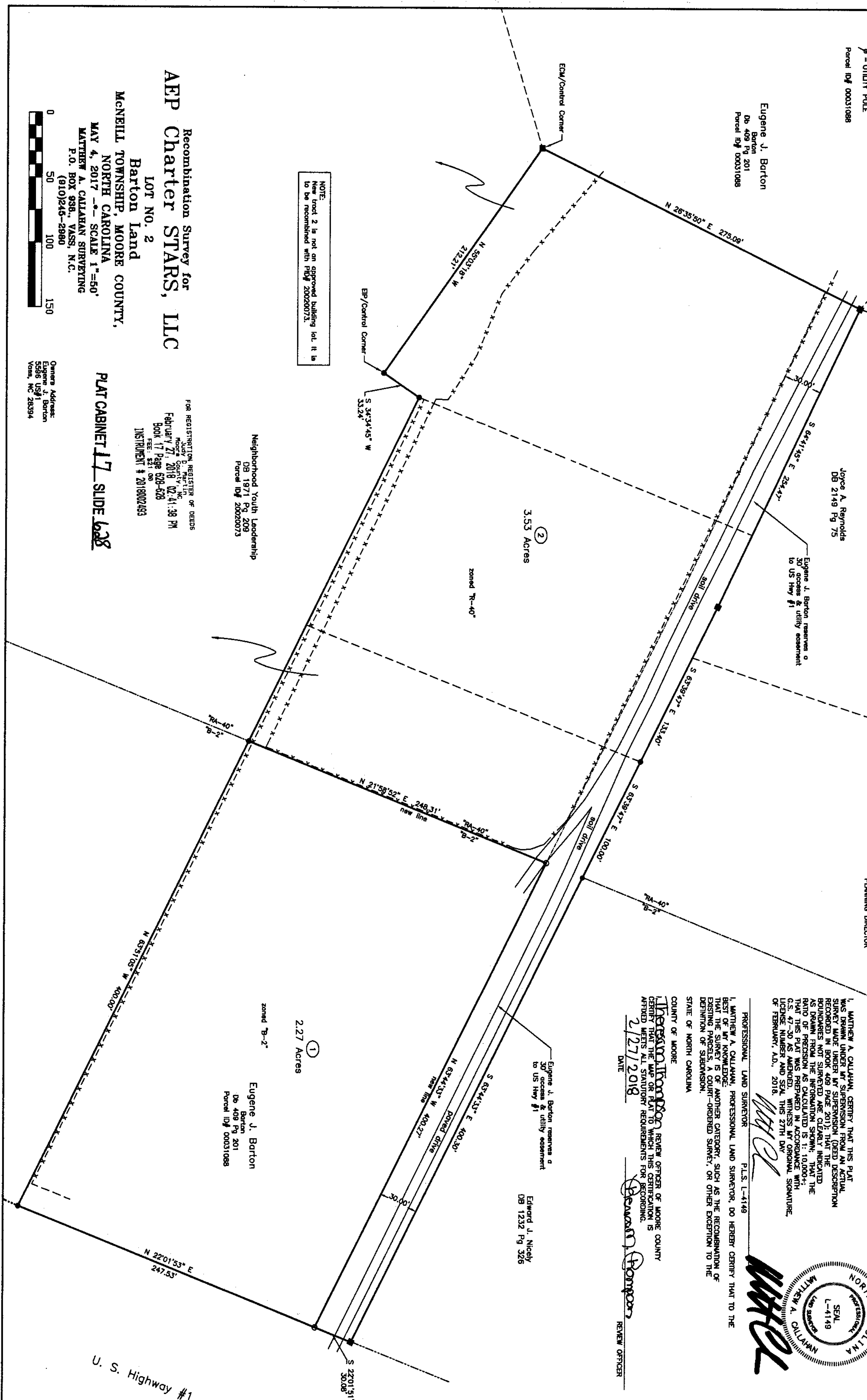
Property is zoned "R-40" & "B-2"  
Sublot: RA-40 front=50' side=15' & 25' side street rear=35'  
Sublot: B-2 front=50' side=10' on side street, 25' doubling property zoned residential rear=25'  
NOTICE: THIS PROPERTY IS LOCATED WITHIN A PUBLIC WATER SUPPLY WATERSHED. DEVELOPMENT RESTRICTIONS MAY APPLY. I CERTIFY THAT THE PLAT SHOWN HEREON COMPLEIES WITH THE MOORE COUNTY WATERSHED PROTECTION ORDINANCE AND IS APPROVED BY MYSELF AS AN AGENT FOR THE WATERSHED DISTRICT BOARD FOR RECORDING IN THE MOORE COUNTY REGISTER OF DEEDS OFFICE.  
DATE 2/27/2018 Eugene J. Barton PLANNING DIRECTOR WATERSHED ADMINISTRATION



Eugene J. Barton  
Barton  
DB 409 Pg 201  
Parcel ID# 00031088

I, MATTHEW A. CALLAHAN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND AND THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.  
STATE OF NORTH CAROLINA  
COUNTY OF MOORE  
Matthew A. Callahan, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
DATE 2/27/2018  
Matthew A. Callahan  
REGISTERED PROFESSIONAL LAND SURVEYOR  
P.L.S. L-4149  
REVIEW OFFICER

Matthew A. Callahan, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, THE PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
DATE 2/27/2018  
Matthew A. Callahan  
REGISTERED PROFESSIONAL LAND SURVEYOR  
P.L.S. L-4149  
REVIEW OFFICER



NOTE:  
New lot 2 is not on approved building lot. It is to be recombed with plat 20020073.

Recombination Survey for  
AEP Charter STARS, LLC  
LOT NO. 2  
Barton Land  
McNEILL TOWNSHIP, MOORE COUNTY,  
NORTH CAROLINA  
MAY 4, 2017 - SCALE 1"=50'  
MATTHEW A. CALLAHAN SURVEYING  
P.O. BOX 938, VASS, N.C.  
(910)245-2980

PLAT CABINET 17, SLIDE 628



Owners Address:  
Eugene J. Barton  
3586 US#1  
Vass, NC 28694

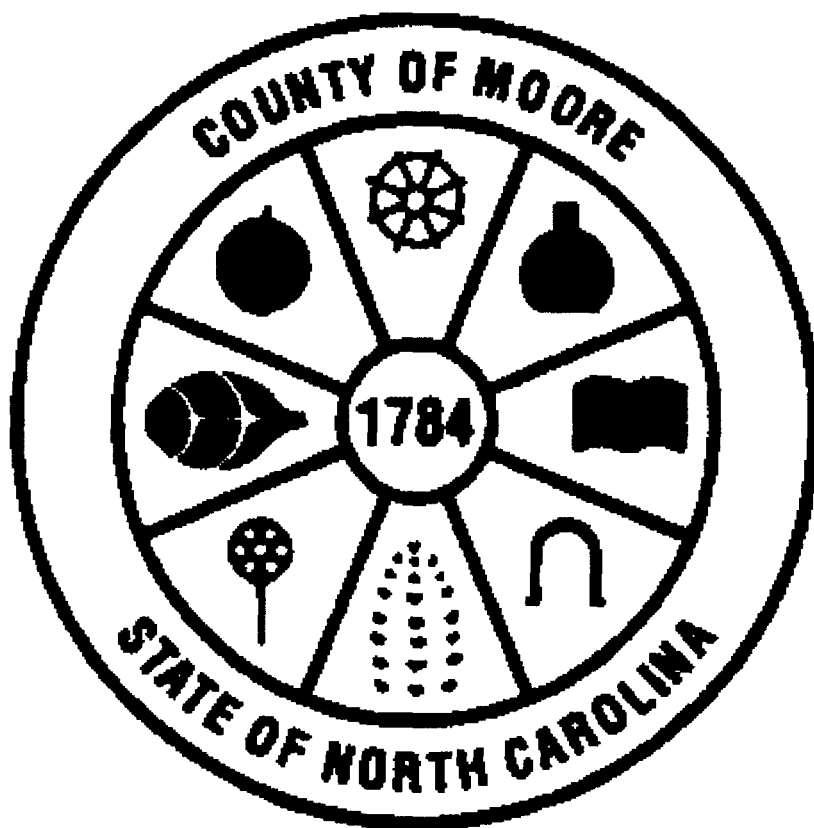
FOR REGISTRATION REGISTER OF DEEDS  
Moore County, N.C.  
February 27, 2018 02:41:38 PM  
Book 17 Page 528-528  
FEE: \$21.00  
INSTRUMENT # 2018002493

Neighborhood Youth Leadership  
DB 1971 Pg 209  
Parcel ID# 20020073

Eugene J. Barton  
Barton  
DB 409 Pg 201  
Parcel ID# 00031088

Edward J. Nicely  
DB 1232 Pg 326

U. S. Highway #1



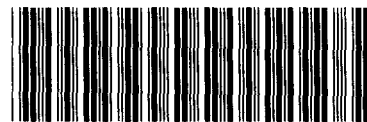
Judy D. Martin

Register of Deeds

Moore County, North Carolina

**MAP**

FOR REGISTRATION REGISTER OF DEEDS  
Judy D. Martin  
Moore County, NC  
February 27, 2018 02:41:38 PM  
Book 17 Page 628-628  
FEE: \$21.00  
INSTRUMENT # 2018002493



INSTRUMENT # 2018002493

For Registration Register of Deeds

Judy D. Martin

Moore County, NC

Electronically Recorded

March 19, 2018 8:09:00 AM

Book: 4950 Page: 503 - 506 #Pages: 4

Fee: \$26.00 NC Rev Stamp: \$0.00

Instrument # 2018003525

Excise Tax Due: \$0.00

Recording Time, Book and Page

Tax Lot. No./Parcel Identifier No.: 20020073, 20130180

Verified by Moore County on the \_\_\_\_ day of March, 2018.

by \_\_\_\_

Submitted electronically by Stewart Title Guaranty - Commercial Services in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Moore County Register of Deeds.

Prepared by and mail after recording to: Robinson Bradshaw & Hinson, P.A. (Caroline Wannamaker Sink, Esq.),  
101 North Tryon Street, Suite 1900, Charlotte, North Carolina 28246-1900

Brief Description for the Index: 140 Southern Dunes Drive, Vass, Moore County, North Carolina

## NORTH CAROLINA NON-WARRANTY DEED

THIS DEED is made as of this 14 day of March, 2018 by and between:

GRANTOR	GRANTEE
<b>NEIGHBORHOOD YOUTH LEADERSHIP, a</b> North Carolina Non-Profit Corporation, d/b/a Sandhills Theatre Arts Renaissance School  140 Southern Dunes Drive Vass, North Carolina 28394	<b>AEP CHARTER STARS, LLC,</b> a Delaware limited liability company  c/o Charter School Realty Company, LLC 222 SW Columbia, Suite 1750 Portland, Oregon 97201

The designation Grantor and Grantee, as used herein, shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

**WITNESSETH**, that the Grantor, for a valuable consideration given by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all of that certain lot or parcel of land (referred to in the singular, whether one or more) situated in Moore County, North Carolina, and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

The above-described property does not include the primary residence of the Grantor.

The Real Property hereinabove described was acquired by Grantor by instruments recorded in Book 4273 at Page 442 and Book 1971 at Page 209 of the Moore County Public Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

[Signature Page Follows]

IN WITNESS WHEREOF, Grantor has executed this instrument by authority duly given as of the day and year first above written.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be signed in its corporate name by its duly authorized officer by authority of the Board of Directors.

NEIGHBORHOOD YOUTH LEADERSHIP,  
A NC Non-profit corporation  
d/b/a Sandhills Theatre Arts Renaissance School

By Frank J Bankovich PRESIDENT  
Frank Bankovich, President

STATE OF NORTH CAROLINA

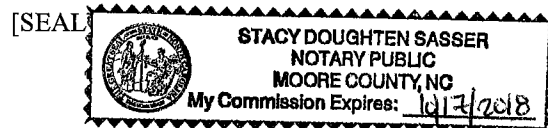
COUNTY OF MOORE

I, a Notary Public of the County and State aforesaid, certify that Frank Bankovich, either being personally known to me or proven by satisfactory evidence (said evidence being \_\_\_\_\_), personally appeared before me this day and acknowledged that he is **President** of **Neighborhood Youth Leadership**, a NC non-profit corporation, and that he, as President being authorized to do so, voluntarily executed the foregoing on behalf of the corporation for the purposes stated therein.

Date: 3/12/18

Stacy Doughten Sasser  
Notary Public

Stacy Doughten Sasser  
Printed or typed name of Notary Public



My commission expires: 10/17/2018



## EXHIBIT A

## Legal Description

**Parcel 1**

All that tract or parcel of land lying and being in the City of McNeill Township, Moore County, State of North Carolina and being more particularly described as follows:

**Beginning** at NC Station "Cannon" (N:535679.29 E: 1902780.92) NC GRID NAD 83 (2001); thence South 22°15'07" West a distance of 3071.13' to a concrete monument found on the western right-of-way of U.S. Highway 1 (R/W Varies); thence along said right-of-way South 21°51'39" West, a distance of 277.72 feet to a point and the **True Point of Beginning**.

Thence along said right-of-way South 24°09'01" West, a distance of 210.84 feet to a point; thence leaving said right-of-way and along the right-of-way of Southern Dunes Drive (60' R/W) (Private) North 65°47'46" West, a distance of 404.92 feet to a point; thence North 77°02'00" West, a distance of 243.50 feet to a point; thence North 65°49'49" West, a distance of 210.09 feet to a point; thence along a curve to the Left for an arc distance of 98.03 feet, said curve having a chord bearing of North 76°58'38" West and a chord distance of 97.40 feet and a radius of 250.13 feet to a point; thence leaving said right-of-way and along the property of Now or Formerly Anderson Management, LLC North 03°46'20" West, a distance of 212.60 feet to a point; thence along the property of Now or Formerly Eugene & Peggy Barton North 73°19'40" East, a distance of 184.33 feet to a point; thence South 54°51'21" East, a distance of 211.57 feet to a point; thence North 34°17'55" East, a distance of 33.26 feet to a 1/2" rebar found; thence South 63°50'55" East, a distance of 693.40 feet to a point, the **True Point of Beginning**.

Said tract contains 5.641 acres or 245,718 square feet.

**Tract 2**

All that tract or parcel of land lying and being in the City of McNeill Township, Moore County, State of North Carolina and being more particularly described as follows:

**Beginning** at NC Station "Cannon" (N:535679.29 E: 1902780.92) NC GRID NAD 83 (2001); thence South 22°15'07" West a distance of 3071.13' to a concrete monument found on the western right-of-way of U.S. Highway 1 (R/W Varies); thence along said right-of-way South 21°51'39" West, a distance of 277.72 feet to a point; thence South 24°09'01" West, a distance of 210.84 feet to a point the northern right-of-way intersection of U.S. Highway 1 (R/W Varies) and Southern Dunes Drive (60' R/W) and the **True Point of Beginning**.

Thence continuing along said right-of-way of U.S. Highway 1 South 24°09'01" West, a distance of 60.00 feet to a point on the southern right-of-way intersection of U.S. Highway 1 and Southern Dunes Drive; thence leaving said right-of-way and along the right-of-way of Southern Dunes Drive (60' R/W) North 65°47'46" West, a distance of 399.07 feet to a point; thence North 77°02'00" West, a distance of 243.48 feet to a point; thence North 65°49'49" West, a distance of 216.02 feet to a point; thence along a curve to the Left for an arc distance of 68.80 feet, said curve having a chord bearing of North 76°06'18" West and a chord distance of 68.43 feet and a radius of 190.13 feet to a point; thence along the property of Now Or Formerly Anderson Management, LLC North 03°40'16" West, a distance of 60.36 feet to a point; thence along the said right-of-way of Southern Dunes Drive and along a curve to the Right for an arc distance of 98.03 feet, said curve having a chord bearing of South 76°58'38" East and a chord distance of 97.40 feet and a radius of 250.13 feet to a point; thence South 65°49'49" East, a distance of 210.09 feet to a point; thence South 77°02'00" East, a distance of 243.50 feet to a point; thence South 65°47'46" East, a distance of 404.92 feet to a point, the **True Point of Beginning**.

Said tract contains 1.297 acres or 56,518 square feet.

**MEMORANDUM TO THE PLANNING BOARD**

**FROM:** Debra Ensminger  
Planning and Transportation Director

**DATE:** September 12, 2018

**SUBJECT:** Unified Development Ordinance Text Amendments

**PRESENTER:** Theresa Thompson

**REQUEST**

Moore County Planning Staff is requesting the below text amendments to the Moore County Unified Development Ordinance:

**Bold Text** – additions to the ordinance

~~Strikethrough Text~~ - deletions from the ordinance

1. AMEND Chapter 2 (Review Bodies and Administrator), Section 2.2 (Planning Board), Subsection A (Powers and Duties) as follows:
  - A. Powers and Duties. The Planning Board shall have all the powers and authority pursuant to NCGS 153A-321 and 153A-322 and shall perform any related duties as directed by the Board of Commissioners. The Planning Board shall make recommendations of the following requests:
    1. Amendments to the UDO text and the Zoning Map;
    2. Conditional Use Permits;
    3. Conditional Rezoning;
    4. ~~Public Road Closures; and~~
    5. Amendments to the comprehensive land use plans for Moore County.

**REASON.** Correction of a typo.

2. AMEND Chapter 4 (Zoning Permit), Section 4.2 (Application), Subsection A (Pre-Application Meeting) as follows:
  - A. ~~Pre-Application~~ **Project Review Team Meeting**. To minimize development planning costs, avoid misunderstandings or interpretations, and ensure compliance with the requirements of this Ordinance, a ~~pre-application~~ **Project Review Team** meeting between the developer and planning staff is ~~encouraged~~ **required for all non-residential**  
*Quarterly UDO Text Amendments – Staff Report*

projects, as determined applicable by the Administrator. The developer is also encouraged ~~required~~ to submit a sketch plan.

**REASON.** Requires Project Review Team Meetings for non-residential projects, as needed.

3. AMEND Chapter 4 (Zoning Permit), Section 4.3 (Action by the Administrator) as follows:

#### **4.3 Action by the Administrator**

If the proposed application is in conformity with the provisions of this UDO, and if all applicable permits have been approved by the Moore County Department of Environmental Health, the Administrator shall issue a zoning permit ~~and mail a copy to the property owner,~~ stating: Issuance of a zoning permit shall in no case be construed as waiving any provisions of the UDO, approved plans, specific use standards, and the intended use of such building and land do, in all respects, conform to the provisions of the UDO.

**REASON.** Removing step of mailing permit by including language in the actual zoning permit approval notes.

4. AMEND Chapter 4 (Zoning Permit), Section 4.4 (Zoning Decision Sign) as follows:

#### **4.4 Zoning Decision Sign**

Zoning Decision Sign. The applicant shall post a **sign containing the words "Zoning Decision" in letters at least 6 inches high**, including contact information of the Administrator, on the site **in a prominent location including street frontage**, and provide evidence to the Administrator within 10 days of the permit issuance for new non-residential buildings or changes of use, for a minimum of 10 days to notify the neighbors, or the Zoning Permit shall be null and void.

**REASON.** Provides clarification of statutory language (NCGS 160A-388).

5. AMEND Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection A (Applicability) as follows:

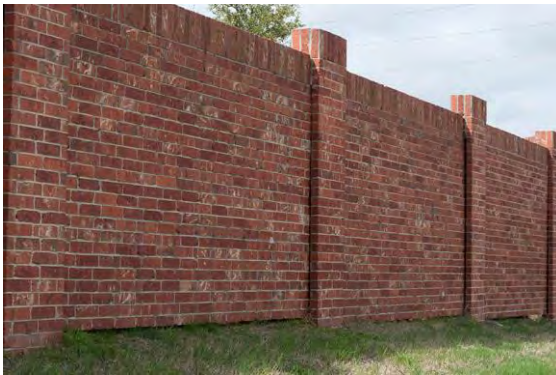
- A. Applicability. The standards established in the section are intended to provide adequate buffering between non-residential and residential land uses. Any new development including parking lots or a new use (except agricultural uses, temporary uses, home occupation level 1, neighborhood parks, single family residential, duplexes, and expansions of 250 square feet or less) shall install screening along the side and rear lot lines that abut any residentially zoned property and along any front setback abutting residentially zoned property (not abutting a street right-of-way **or railroad right-of-way**).

**REASON.** Screening is not required to be installed along a railroad right-of-way due to railroad not being residential property.

6. AMEND Chapter 7 (General Development Standards), Section 7.11 (Non-Residential Screening), Subsection D (Screening Types) as follows:

- D. Screening Types. Unless specified elsewhere in this Ordinance, the screening shall be one of the following:

Type 1. A 6 foot high ~~attractive blind and opaque barrier, such as a masonry~~ **brick or stone wall, cinder block wall, basket weave chain link fence, or opaque wooden plank fence** (including entrance and exit gates) **as depicted in the example pictures below,** with the finished side of fence facing the adjoining property.



**REASON.** Removed discretionary language and added pictures and the descriptive words such as “cinder” and “plank” for clarification.

7. AMEND Chapter 8 (Specific-Use Standards), Section 8.4 (Accessory Dwelling Located within a Single Family Dwelling), Subsection B (Standards) as follows:

#### **8.4 Accessory Dwelling Located within a ~~Stick-Built~~ Single Family Dwelling**



A. Definition. An addition (such as a mother-in-law suite) to an existing single family ~~stick-built~~ dwelling, containing separate sleeping, kitchen, and bathroom facilities.

**REASON**. Removing “stick built” to match the Building Code definition for consistency.

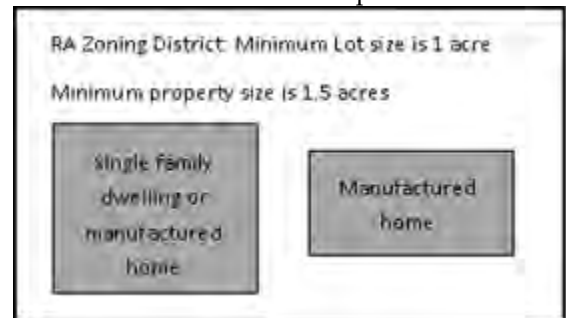
8. AMEND Chapter 8 (Specific-Use Standards), Section 8.6 (Accessory Manufactured Home), Subsection B (Standards) as follows:

A. Definition. An accessory manufactured home located on the same lot as the principal single-family ~~stick-built~~ dwelling OR principal manufactured home.

B. Standards.

Example Illustrations:

- a. **There shall be no more than 1 2 accessory manufactured homes per lot.** There shall be a minimum of 1.5 times the minimum lot size requirement for the applicable zoning district for an accessory manufactured home.



- b. **There shall be an additional 10 acres of land beyond the minimum lot size for the applicable zoning district allotted for the 2<sup>nd</sup> accessory manufactured home, in addition to a ~~stick-built~~ dwelling.** Accessory ~~stick-built~~ dwellings shall meet the required principal building setbacks with a minimum separation of 30 feet between any dwellings. An accessory dwelling may be located in the front yard provided it meets the required principal building setbacks. (A lot that existed prior to January 4, 1994 may be developed for single-family residential purposes without being subject to watershed regulations.)



**REASON**. There may be 2 accessory manufactured homes if a property is a minimum of 10 acres plus the minimum lot size to accommodate rural residential development on larger tracts of land.

9. AMEND Chapter 8 (Specific-Use Standards), Section 8.7 (Accessory Stick-Built Dwellings), Subsection A (Definitions) and B (Standards) as follows:

**8.7 Accessory ~~Stick-Built~~ Single Family Dwellings**

- A. Definition. An accessory (2<sup>nd</sup>) single-family ~~stick-built~~ dwelling may be located on the same lot as the principal single-family ~~stick-built~~ dwelling. The accessory dwelling may be combined with a detached garage, workshop, barn (barn apartments), etc.
- B. Standards. There shall be no more than 2 accessory ~~stick-built~~ dwellings per lot. There shall be an additional 10 acres of land allotted for the 3<sup>rd</sup> ~~stick-built~~ dwelling. Accessory ~~stick-built~~ dwellings shall meet the required principal building setbacks with a minimum separation of 30 feet between any dwellings. An accessory dwelling may be located in the front yard provided it meets the required principal building setbacks. (A lot that existed prior to January 4, 1994 may be developed for single-family residential purposes without being subject to watershed regulations.)

**REASON**. Removing “stick built” to match the Building Code definition for consistency.

10. AMEND Chapter 8 (Specific-Use Standards), Section 8.8 (Single Family Dwelling), Subsection A (Definition) as follows:

- A. Definition. A detached ~~stick-built (including modular)~~ dwelling **unit** containing sleeping, kitchen, and bathroom facilities constructed in accordance with the standards set forth in the NC Building Code, ~~designed for and~~ used as a permanent residence by 1 family.

**REASON**. Changing the definition to match the Building Code definition for consistency.

11. AMEND Chapter 8 (Specific-Use Standards), Section 8.11 (Home Occupation, Level 1), Subsection A (Definition) as follows:

- A. Definition. Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the ~~stick-built or modular~~ single family dwelling.

**REASON**. Removing “stick built” to match the Building Code definition for consistency.

12. AMEND Chapter 8 (Specific-Use Standards), Section 8.12 (Home Occupation, Level 2), Subsection A (Definition) as follows:

- A. Definition. Any business, occupation, or activity undertaken for gain that is incidental and secondary to the use of the ~~stick-built or modular~~ single family dwelling.

**REASON**. Removing “stick built” to match the Building Code definition for consistency.

13. AMEND Chapter 8 (Specific-Use Standards), Section 8.13 (Manufactured Home), Subsection C (Prohibited) as follows:

- C. Prohibited. No manufactured home (mobile home, trailer, manufactured office, etc.) shall be used in any manner for **storage (personal or commercial)**, business, or commercial purposes except when used for a sales office on a manufactured home sales

lot, an administrative office for a manufactured home park, or for a temporary use approved by the Administrator.

**REASON.** Manufactured homes cannot be permitted for storage purposes due to the use being residential.

14. AMEND Chapter 8 (Specific-Use Standards), Section 8.18 (Multifamily Dwellings), Subsection A (Definitions) and Subsection C (Setbacks) as follows:

- A. **Definition.** A building containing 3 or more dwellings per lot, including condominiums, or apartment complexes (including senior citizen apartment complexes). Does not include manufactured home parks, secondary detached ~~stick-built~~ dwelling units, planned unit developments, or nursing homes.
- C. **Setbacks.** All buildings, outdoor recreational activities, and parking shall be located a minimum 50 feet from any residentially zoned property line. Refer to ~~Section 6.78~~ **the specific use standards** for swimming pool requirements.

**REASON.** References swimming pool section without the specific section number (subject to change.) Removes “stick built” to match the Building Code definition for consistency.

15. AMEND Chapter 8 (Specific-Use Standards), Section 8.23 (Kennels, Overnight), Subsection A (Definition) as follows:

#### **8.1 Kennels, ~~Overnight~~**

- A. **Definition.** ~~A facility where dogs, cats, or other domestic animals over 6 months of age are kept, raised, sold, boarded, bred, shown, treated, or groomed.~~ **A facility where dogs, cats, or other domestic animals are trained, boarded, bred, or raised for compensation.** Such a facility may have an indoor and outdoor component.

**REASON.** Clarifies that kennels are facilities for compensation purposes and not to be confused with private kennels for personal pets.

16. AMEND Chapter 8 (Specific-Use Standards), Section 8.84 (Recreation, Indoor), Subsection A (Definition) as follows:

- A. **Definition.** A fully enclosed facility providing for one or several recreational uses including sport auditoriums (basketball, dance, martial arts, soccer, swimming, tennis, wrestling), batting cages, bowling alleys, skating rinks, and other recreational uses such as non-profit community centers, non-profit youth ~~club~~ facilities, health and fitness clubs, gyms, and movie theatres.

**REASON.** Removes “club” from youth facilities so to not limit the use to clubs only.

17. AMEND Chapter 8 (Specific Use Standards), Section 8.92 (Amateur Radio and Receive-only Antenna), Subsection C (Supplemental) as follows:

C. Supplemental. Operation of an amateur station requires an amateur operator license grant from the FCC. **Proposed towers shall be forwarded to the Regional Land Use Advisory Commission for review (NCGS 153A-323B).**

**REASON.** Required by state statute NCGS 153A-323(B) stating that the proposed changes requiring notice includes “Changes relating to telecommunications towers.”

18. AMEND Chapter 8 (Specific Use Standards), Section 8.100 (Mini-Warehouse), Subsection B (Standards) as follows:

B. Standards. All outdoor storage areas shall be located a minimum 50 feet from any residentially zoned property line. No business activity other than the rental of storage units shall be conducted on the premises. Outside storage, **with the exception of vehicles, recreational vehicles, and boats**, shall be enclosed by a chain link fence a minimum 6 feet high and shall be limited to 25% of the total area of the site. There shall be a maximum of 10 inoperable vehicles stored outdoors. 1 parking space per 300 square feet.

**REASON.** Off-street parking lots does not require fencing.

19. AMEND Chapter 8 (Specific Use Standards), Section 8.111 (Manufactured Home or Recreational Vehicle, Temporary Use), Subsection A (Definition) as follows:

A. Definition. Temporary manufactured home or RV in conjunction with major renovation, construction of a ~~stick-built~~ **single family dwelling unit** or manufactured dwelling, or due to casualty damage.

**REASON.** Removes “stick built” to match the Building Code definition for consistency.

20. AMEND Chapter 10 (Text Amendments & General Use Rezoning), Section 10.2 (Application Process), Subsection A (Submittal) as follows:

A. Submittal. Following a required pre-application conference with the Administrator **and a Project Review Team meeting with all departments, as determined necessary by the Administrator**, the completed application shall be submitted at least 30 days prior to the Planning Board meeting at which it is to be heard. Upon completion of the technical review, the Administrator shall prepare and forward the staff report any related application materials to the Planning Board.

**REASON.** A Project Review Team meeting is a requirement for all new commercial projects. Adding it to the ordinance clarifies the steps for the applicant.



21. AMEND Chapter 10 (Text Amendments & General Use Rezoning), Section 10.3 (Notice of Public Hearings), Subsection D (Fort Bragg Notification) as follows:

- D. Fort Bragg Notification. Rezoning requests and text amendments that would change or affect the permitted uses of land located within 5 miles or less from the perimeter boundary of a military base shall be forwarded to the Regional Land Use Advisory Commission for review (NCGS 153A-323B) not less than 10 days or more than 25 days before the date fixed for the ~~Planning Board~~ **Board of Commissioners** public hearing. Staff shall forward RLUAC's analysis regarding the compatibility of the proposed changes with military operations at the base to the ~~Planning Board~~ and Board of Commissioners.

**REASON.** The statutes only require that RLUAC's comments go before the Board of Commissioners. Staff will still forward their comments to the Planning Board but if the comments are not ready it will not hold up the board approval process. NCGS 160A-323(B) states "If the adoption or modification of the ordinance would result in any of the changes listed in this subsection and those changes would be located five miles or less from the perimeter boundary of a military base, the board of commissioners shall provide written notice of the proposed changes by certified mail, or by any other written means reasonably designed to provide actual notice, to the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing."

22. AMEND Chapter 11 (Conditional Rezoning), Section 11.2 (Application Process), Subsection A (Submittal) as follows:

- A. Submittal. Conditional rezoning applications shall be submitted by the owner or an agent with permission granted by the owner. Following a required pre-application conference with the Administrator **and a Project Review Team meeting with all departments, as determined necessary by the Administrator**, the completed application shall be submitted at least 30 days prior to the Planning Board meeting at which it is to be heard and shall include the following:

**REASON.** A Project Review Team meeting is a requirement for all new commercial projects. Adding it to the ordinance clarifies the steps for the applicant.

23. AMEND Chapter 11 (Conditional Rezoning), Section 11.3 (Notice of Public Hearings), Subsection D (Fort Bragg Notification) as follows:

- D. Fort Bragg Notification. Rezoning requests and text amendments that would change or affect the permitted uses of land located within 5 miles or less from the perimeter boundary of a military base shall be forwarded to the Regional Land Use Advisory Commission for review (NCGS 153A-323B) not less than 10 days or more than 25 days before the date fixed for the ~~Planning Board~~ **Board of Commissioners** public hearing. Staff shall forward RLUAC's analysis regarding the compatibility of the proposed

changes with military operations at the base to the ~~Planning Board and~~ Board of Commissioners.

**REASON.** The statutes only require that RLUAC's comments go before the Board of Commissioners. Staff will still forward their comments to the Planning Board but if the comments are not ready, it will not delay the board approval process. NCGS 160A-323(B) states "If the adoption or modification of the ordinance would result in any of the changes listed in this subsection and those changes would be located five miles or less from the perimeter boundary of a military base, the board of commissioners shall provide written notice of the proposed changes by certified mail, or by any other written means reasonably designed to provide actual notice, to the commander of the military base or the commander's designee not less than 10 days nor more than 25 days before the date fixed for the public hearing."

24. AMEND Chapter 12 (Conditional Use Permits), Section 12.2 (Application Process), Subsection A (Submittal) as follows:

- A. Submittal. Conditional use permit applications shall be submitted by the owner or an agent with permission granted by the owner. Following a required pre-application conference with the Administrator **and a Project Review Team meeting with all departments, as determined necessary by the Administrator**, the completed application shall be submitted at least 30 days prior to the Planning Board meeting at which it is to be heard and shall include a site specific development plan prepared in accordance with Section 4.2(C) and proposed phasing, if any, and approximate completion time for the project. Upon completion of the technical review, the Administrator shall prepare and forward the staff report, site plan, and any related application materials to the Planning Board.

**REASON.** A Project Review Team meeting is a requirement for all new commercial projects. Adding it to the ordinance clarifies the steps for the applicant.

25. AMEND Chapter 18 (Subdivisions), Section 18.6 (Preliminary Plat Submittal and Review), Subsection B (Subdivision Review Approval Steps) as follows:

B. Subdivision Review Approval Steps.

1. **Project Review Team Meeting (sketch plan required)**
2. **Infrastructure Meeting (fire flow test results are required)**
3. Preliminary Plat Submittal and Approval
4. The applicant shall post a sign stating "Subdivision Decision"
5. Construction Plan Submittal and Approval (or Improvement Guarantees approved by the Board of Commissioners)
6. Installation and Inspections of Improvements
7. As-Built Drawings Submittal and Approval
8. Final Plat Approval

**REASON.** Requires initial meetings for staff to review proposed subdivisions.

26. AMEND Chapter 18 (Subdivisions), Section 18.6 (Preliminary Plat Submittal and Review), Subsection I (Subdivision Decision Sign) as follows:

- I. Subdivision Decision Sign. The applicant shall post a **sign containing the words “Subdivision Decision” in letters at least 6 inches high**, including contact information of the Administrator, on the site **in a prominent location including street frontage**, and provide evidence to the Administrator within 10 days of preliminary plat approval for a minimum of 10 days to notify the neighbors of the subdivision decision, or the plat shall be null and void.

**REASON.** Provides clarification of statutory language (NCGS 160A-388).

27. ADD Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection E (Marginal Access Streets) as follows:

- E. Marginal Access Streets. **Where a tract of land to be subdivided adjoins an arterial street, the subdivider shall provide a marginal access street parallel or adjacent to the arterial street for the lots to be developed adjacent to the arterial. Where reverse frontage is established, private driveways shall be prevented from having direct access to the principal arterial. A maximum of 5 lots may front an arterial street as approved by the NCDOT, on a case by case basis.**

**REASON.** This section was accidentally omitted from the Major Subdivision Chapter in the 2016 UDO Rewrite. This language is being added back for clarity on major subdivision development. Also, prior UDO language restricted major subdivisions from allowing private driveways to front existing roads so language is amended to accommodate up to 5 lots to have frontage on an existing road, if approved by the NCDOT.

28. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection F (NCDOT Approval) as follows:

- F. NCDOT approval. If any street proposes to access a state-maintained road, the subdivider shall receive NCDOT driveway approval as required by NCDOT’s “Policy on Street and Driveway Access to North Carolina Highways” prior to construction and/or final plat approval. NCDOT may require a traffic impact study. **The required Home Owners Association (HOA) documents and by-laws, to be recorded at the same time as the final plat, shall include the following: The HOA shall be responsible for the maintenance of all streets by means of a private road maintenance agreement until the streets are part of the State highway system.**

**REASON.** The responsibility for the maintenance of streets is needed prior to the roads being taken over by the NCDOT.

29. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection H (Traffic Signs and Control) as follows:

H. ~~Traffic Signs and Control (including street name signs)~~ **Street Name and Traffic Control Signs.** The applicant shall be required to provide and erect, at the developer's expense, street name signs **per the Moore County Road Names & Addressing Ordinance** and traffic controls ~~signs per the NCDOT Manual on Uniform Traffic Control Devices State and County standards~~ **at all intersections within the subdivision prior to final plat approval.**

**REASON.** Installation of signs is needed for major subdivision plat approval.

30. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection K (Water and Sewer Options) as follows:

A. Water and Sewer Options. All water and sewer systems shall be installed in accordance with County specifications and standards. Major subdivisions of 20 or more lots are required to install and connect to public or community water and/or sewer. Water supply and sewage disposal facilities to serve Major Subdivision developments may be provided through the use of:

1. Individual wells and septic tanks provided either on each lot or in off-lot locations protected through recorded easements (for subdivisions proposing nineteen or less lots); or
2. A community water and/or sewage disposal system designed, constructed, and maintained in conformity with all applicable County, State and Federal standards, regulations, and policies; or
3. Connection to a **public** water and/or sewage disposal system **shall be provided, operated by the County of Moore. All water and sewage facilities shall be designed and installed according to the standards of the Moore County Department of Public Works (or more stringent), Department of Environmental Health, and NC Department of Environmental Quality.** System extensions are permitted only in accordance with applicable water, sewer and land use policies; or
4. A combination of the above alternatives.

**REASON.** Clarifies that in situations where Moore County does not have public water or sewer available, that the public water and/or sewer shall be installed per the Moore County's standards.

31. AMEND Chapter 18 (Subdivisions), Section 18.7 (Minimum Design Standards), Subsection S (Cluster Mailboxes) as follows:

S. Cluster Mailboxes. Appropriate mail receptacles must be provided for the receipt of mail as approved by the Postal Service and other applicable departments. **Cluster mailboxes**



shall be located outside of the right-of-way and in a HOA maintained area. Approval of installation by the USPS and Building Inspector is required prior to final plat approval.

**REASON.** The location of the cluster mailboxes is needed for the preliminary and final major subdivisions plats.

32. AMEND Chapter 18 (Subdivisions), Section 18.8 (Conservation Design Standards), Subsection C (Dimensional Requirements) as follows:

- C. Dimensional Requirements. No minimum lot size, frontage, or depth is required. The required minimum front, side, and rear setback shall be 10 feet and may be reduced to 5 feet when abutting an alley or dedicated open space or reduced to a zero lot line for duplexes. **Minimum setbacks, measured from the furthest point of the house (such as eaves, deck) shall meet the fire code separation requirements, as applicable. (Example: Minimum 31 foot separation requires a minimum 16 foot side setback.)**

**REASON.** Requires minimum setbacks to meet the Fire Code separation standards.

33. AMEND Chapter 18 (Subdivisions), Section 18.15 (Subdivision Plat Requirements) as follows:

Information Required	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Title Block					
Name, address, and telephone # of surveyor	✕	✕	✕	✕	✕
General Information					
Surveyor and/or engineer original signature, seal, & registration #				✕	
Surveyor original signature, seal, & registration #	✕	✕	✕	✕	✕
Tied to nearest street intersection if within 300 feet		✕	✕	✕	✕
Tied to USGS marker if within 2000 feet	✕	✕	✕	✕	✕
Location and description of all monuments, markers and control corners		✕	✕	✕	✕
Minimum 2 control corners present when creating a new road right-of-way	✕	✕	✕	✕	✕
All mapping shall comply with NCGS 47-30	✕	✕	✕	✕	✕
Amenities & Natural Features Layout					
Existing and proposed entrance signs including site triangles and located outside of the ROW				✕	✕
Street Layout					
Location of required street trees (include a detail)				✕	✕

**REASON.** The preliminary plat can be drawn by an engineer with the same level of detail. The final plat is required to be sealed by a surveyor and will be drawn and recorded to comply with NCGS 47-30. Street trees description is included in notes on the plat so a drawing is not necessary.

34. AMEND Chapter 18 (Subdivisions), Section 18.16 (Subdivision Plat Requirements) as follows:

Type of Certificate or Statement	Exempt Plat	Family Plat	Minor Plat	Major Prelim. Plat	Major Final Plat
Certificate of Survey Accuracy	✕	✕	✕	✖	✕
Review Officer Certification	✕	✕	✕	✖	✕
Septic Suitability Certificate Statement		✕	✖		
NCDOT Div. of Highways District Engineer Certificate				✖	✕

**REASON.** The preliminary plat is not recorded and does not need surveyor accuracy which is an additional cost. The preliminary plat can be drawn by an engineer with the same details. The final plat is required to be sealed by a surveyor. Septic Suitability is only required for a family plat (typo). NCDOT will sign the same statement at the final plat so it is not necessary to sign the preliminary plat.

35. AMEND Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Lot Line, Front. That part of the lot adjacent to **or in close vicinity** to the street right-of-way line or land access easement. **When a lot fronts a street and fronts an access easement the property owner shall have the option to choose the front lot line.**

**REASON.** Accommodates lots that have double frontage.

36. AMEND Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

Setback. The required minimum distance between every building ~~or structure~~ measured ~~from~~ from the furthest point of the house (such as eaves, deck) from all property lines and/or right-of-way lines ~~and/or easement lines~~ of the lot on which it is located. **Setbacks are not required from easement lines. (This does not include utility easements.)**

**REASON.** Existing language was used in the previous ordinance. Properties with easements should not be required to meet setback requirements from each access easement which causes an unnecessary hardship on smaller properties. Staff also added clarity on where the setback shall be measured from on the building.

37. ADD Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

**Street, Arterial.** A street connecting widely separated areas and designed to carry a large volume of traffic which may be fast, heavy or both. Arterial streets are sometimes referred to as “major thoroughfares,” “freeways,” “expressways,” etc., and are usually numbered State or Federal Highways. Numbered State Secondary Roads are included in this definition.

**REASON.** Definition was accidentally omitted from the Major Subdivision Chapter in the 2016 UDO Rewrite. This language is being added back for clarity on major subdivision development.

38. ADD Chapter 19 (Definitions), Section 19.2 (Definitions) as follows:

**Street, Marginal Access.** A local street which parallels and is immediately adjacent to arterial streets, and which provides access to abutting properties and protection from through traffic.

**REASON.** Definition was accidentally omitted from the Major Subdivision Chapter in the 2016 UDO Rewrite. This language is being added back for clarity on major subdivision development.

### **CONSISTENCY WITH THE ADOPTED 2013 LAND USE PLAN**

The Planning Board Consistency Statement which speaks to Land Use Plan goals is included for the Board’s review and consideration.

### **RECOMMENDATION**

Staff recommends the Moore County Planning Board make two separate motions:

**Motion #1:** Make a motion to adopt the attached Moore County Planning Board Land Use Plan Consistency Statement (Approval) and authorize its Chairman to execute the document as required by North Carolina General Statute 153A-341.

**Motion #2:** Make a motion to recommend approval to the Moore County Board of Commissioners of the proposed text amendments to the Moore County Unified Development Ordinance.

### **ATTACHMENTS**

- RLUAC (Regional Land Use Advisory Commission) Review Letter
- Planning Board Consistency Statement – Approval



**MOORE COUNTY**  
**Proposed Text Amendments to Chapters 2, 4, 7, 8, 10, 11, 12, 18 & 19**  
**of the Unified Development Ordinance**  
**September 14, 2018**

The Regional Land Use Advisory Commission (RLUAC) staff and Board of Directors have reviewed the proposed text amendments for the Moore County Unified Development Ordinance (specifically Chapters 2, 4, 7, 8, 10, 11, 12, 18 & 19) and find no conflicts with the recommendations contained in the 2003 and 2008 Joint Land Use Studies. In fact, RLUAC very much appreciates the references to the Fort Bragg notification process discussed in Chapters 8, 10 and 11.

RLUAC therefore has no issues or concerns with the proposed text amendments to the Moore County Unified Development Ordinance.

Thank you for allowing RLUAC the opportunity to review these proposed changes.

Robert McLaughlin, Chairman

James Dougherty, Executive Director

**Moore County Planning Board**  
**Land Use Plan Consistency Statement**  
**Text Amendment - Unified Development Ordinance**

The Moore County Planning Board finds that:

1. The text amendment request is consistent with the following goals in the 2013 Moore County Land Use Plan:

Goal 1: Preserve and Protect the Ambiance and Heritage of the County of Moore (inclusive of areas around municipalities):

- Recommendation 1.5: Encourage and support development and land use principles by ensuring Moore County's cultural, economical, and natural resources are considered appropriately.
- Recommendation 1.7: Support and promote local businesses.

Goal 3: Optimize the Uses of Land Within the County of Moore:

- Recommendation 3.4: Encourage development in areas where the necessary infrastructure (roads, water, sewer, and schools) are available, planned or most cost-efficiently be provided and extended to serve development.

Goal 4: Provide Information and Seek Citizen Participation:

- Action 4.1.1: Continue to support and implement easy to understand guidelines to incorporate throughout governmental departments.

2. The text amendment is consistent with the Goals listed above due to the compatibility of land use goals supporting local businesses and providing them with a transparent permitting process.

3. The text amendment is reasonable and in the public interest because the ordinance has been updated to meet current statutory requirements and be more user-friendly for use by the general public and development community. It also provides clear guidance through the permitting process.

Therefore, the Moore County Planning Board recommends **APPROVAL** of the text amendments to the Unified Development Ordinance, as proposed.

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Eddie Nobles, Chair  
Moore County Planning Board

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Date



## MEMORANDUM TO THE PLANNING BOARD

**FROM:** Debra Ensminger  
Planning and Transportation Director

**DATE:** September 12, 2018

**SUBJECT:** Skill-Based Gaming Establishments Options

**PRESENTER:** Theresa Thompson

### **BACKGROUND**

Planning Staff has received numerous inquiries regarding “skilled-based” gaming establishments. Skilled-based gaming is similar to internet sweepstakes with the exception that their games involve skill-rather than luck. The North Carolina General Assembly made all sweepstakes activity illegal as of December 1, 2010 (NCGS 14-306.3). Skill-based gaming operations requires an element of skill by the player, which exempts it from the ban (exception listed in G.S. 14-306.4(a)(3)(i).)

**DEFINITIONS** Staff researched other jurisdictions regarding skilled based gaming operations and found there are 3 ways that jurisdictions are defining skilled-based gaming operations:

- Option 1: Similar to a Chuck-e-Cheese type arcade
- Option 2: Utilizing the original definition of “sweepstakes”
- Option 3: Focusing on the substantial differences from Chuck-e-Cheese type arcades including:
  - Skill-Based – Adults users only and includes substantial monetary payouts
  - Traditional Arcade – Used by all ages and no rewards or rewards of limited value such as children’s toys

Staff also contacted David Owens, Professor with the UNC School of Government, and he endorses differentiating Adult Gaming Operations (skill-based) from General Gaming Operations (traditional arcade). He stated that the definition should avoid the gambling / sweepstakes focus, which is more of a criminal law / statutory compliance issue. Therefore, staff recommends the proposed definitions:

Adult Gaming Establishment. Any establishment deemed legal by state law, featuring one (1) or more stand-alone electronic or conventional gaming units, skill-based or otherwise, or serving one (1) or more patrons in such a capacity at any one time, which also rewards patrons with cash or other monetary payments, goods or certificates for services which are redeemable for cash or other monetary payment on or off premise and including on-line redemptions, as well as any rewards which cannot be legally obtained, consumed, or otherwise used by minors. Any use

*UDO “Skill-Based” Text Amendments – Staff Report*

meeting this definition shall be considered a primary use regardless of association or location in conjunction with other permissible primary uses. State of North Carolina sanctioned lottery functions shall not be considered as adult gaming establishments for the purposes of this ordinance.

**General Gaming Establishment.** Any establishment deemed legal by state law, excluding billiards halls, adult gaming establishments and any others similarly defined in this chapter, whose primary use is to provide entertainment services to the general public in the form of electronic or conventional gaming units which provide either no reward to patrons or rewards of limited value such as children’s toys, games, and novelties when all of said rewards can be legally obtained and used by all ages and are not redeemable for cash or any other kind of compensation or services on or off premises, including on-line redemptions. Examples include traditional video game arcades and children’s and family game centers, whether stand-alone or in conjunction with a restaurant or other permissible uses. This shall be considered a primary use when occupying more than 50 percent of the gross floor area of an establishment or being used by more than 50 percent of the patrons at any time or representing more than 50 percent of the total sales of the establishment.

## **TABLE OF USES**

Staff recommends adding General Gaming Establishments to the “Indoor Recreation” use category:

RECREATIONAL USES	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
Recreation, Indoor											C	C	P		8.84	A-5

Staff recommends adding “Adult Gaming Establishments” to the “Adult Uses” Category in the Table of Uses:

COMMERCIAL USES (CONTINUED)	RA-20	RA-40	RA-2	RA-5	GCSL	GCWL	RE	RA-USB	RA	P-C	VB	B-1	B-2	I	Specific Use Standards	Bldg. Code Group
<b>ADULT USES</b>																
<b>Adult Gaming Establishments</b>																
Bars / Tavern											C		P		8.52	A-2
Brewery / Winery									C		P		P	P	8.53	A-2, F
Dance Club, Night Club, Billiard											Z		P		8.54	A-2, A-3
Distillery														P	8.55	F-1
Massage & Bodywork Therapy Practice, Unlicensed													P		8.56	B
Pawn Shop											Z		P	P	8.57	B
Sexually Oriented Business														Z	8.58	A-2, M
Tattoo Parlor, Body Piercing													P		8.59	B

### **DISTANCE REQUIREMENTS**

Currently Indoor Recreation, Bars / Taverns, Brewer / Winery, Dance Club / Night Club / Billiard, Massage & Bodywork Therapy Practice (unlicensed), Pawn Shops, and Tattoo Parlor / Body Piercings require the following distance requirement:

“All buildings, outdoor seating/ entertainment, and parking areas shall be 50 feet from any residentially zoned property line.”

### **ADDITIONAL STANDARDS**

Staff is seeking direction on:

1. Which Zoning Districts to allow Adult Gaming Establishments (Skill-Based)?
2. Should they be permitted by right in any zoning district?
3. Should they require Conditional Use Permits or Conditional Rezoning?
4. Any distance requirements?
5. Maximum number of machines permitted?